

CLERK'S COPY.

TRANSCRIPT OF RECORD

SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 1940

No. 484

THE UNITED STATES OF AMERICA, PETITIONER

vs.

THE COOPER CORPORATION ET AL.

*ON WRIT OF CERTIORARI TO THE UNITED STATES CIRCUIT COURT
OF APPEALS FOR THE SECOND CIRCUIT*

PETITION FOR CERTIORARI FILED OCTOBER 3, 1940
CERTIORARI GRANTED NOVEMBER 12, 1940

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United States Circuit Court of Appeals

FOR THE SECOND CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff-Appellant,

—against—

THE COOPER CORPORATION, THE DAYTON RUBBER MANUFACTURING COMPANY, DUNLOP TIRE AND RUBBER CORPORATION, THE FALLS RUBBER CO., THE FIRESTONE TIRE AND RUBBER CO., THE FISK RUBBER CORPORATION, THE GENERAL TIRE AND RUBBER COMPANY, THE B. F. GOODRICH COMPANY, THE GOODYEAR TIRE AND RUBBER COMPANY, INC., THE KELLY-SPRINGFIELD TIRE CO., LEE TIRE AND RUBBER CO. OF N. Y., INC., THE MOHAWK RUBBER CO. OF N. Y., INC., THE NORWALK TIRE AND RUBBER CO., PENNSYLVANIA RUBBER COMPANY, F. G. SCHENUIT RUBBER CO., THE SEIBERLING RUBBER COMPANY, UNITED STATES RUBBER PRODUCTS, INC., AND U. S. TIRE DEALERS CORPORATION,

Defendants-Respondents.

Statement Under Rule 13.

This suit was commenced on February 20, 1939 in the United States District Court for the Southern District of New York by the filing of a complaint.

The complaint was served upon all of the defendants named herein.

The service on F. G. Schenuit Rubber Company was vacated and set aside, pursuant to an order of the Honorable Samuel Mandelbaum, which order was entered on April 27, 1939.

Statement Under Rule 13.

No answers have been filed by the defendants, the time to answer having been extended by stipulation.

4 An order and consent was filed on April 3, 1940 substituting Myles J. Lane, Special Assistant to the Attorney General, as attorney for the plaintiff, in place of John T. Calill, United States Attorney for the Southern District of New York.

A motion was made on behalf of all of the defendants, with the exception of F. G. Schenuit Rubber Company, for an order dismissing the action on the ground that the complaint failed to state a claim against the defendants upon which relief could be granted.

5 An opinion was rendered on February 16, 1940 by the Honorable Edward A. Conger, United States District Judge, granting the defendants' motion dismissing the complaint.

An order and judgment thereon was entered on March 15, 1940.

The appeal was taken by the plaintiff on March 21, 1940.

Complaint.

IN THE
UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK
Civil Action, File No. 2-396

THE UNITED STATES OF AMERICA,

Plaintiff,

v.

THE COOPER CORPORATION, THE DAYTON RUBBER MANUFACTURING COMPANY, DUNLOP TIRE AND RUBBER CORPORATION, THE FALLS RUBBER CO., THE FIRESTONE TIRE AND RUBBER CO., THE FISK RUBBER CORPORATION, THE GENERAL TIRE AND RUBBER COMPANY, THE B. F. GOODRICH COMPANY, THE GOODYEAR TIRE AND RUBBER COMPANY, INC., THE KELLY-SPRINGFIELD TIRE CO., LEE TIRE AND RUBBER CO. OF N. Y., INC., THE MOHAWK RUBBER CO. OF N. Y., INC., THE NORWALK TIRE AND RUBBER CO., PENNSYLVANIA RUBBER COMPANY, F. G. SCHENUIT RUBBER CO., THE SEIBERLING RUBBER COMPANY, UNITED STATES RUBBER PRODUCTS, INC., AND U. S. TIRE DEALERS CORPORATION,

Defendants.

The United States of America, plaintiff herein, by its attorney, the United States District Attorney for the Southern District of New York, complains and alleges as follows:

1. This suit is brought by the plaintiff in its capacity as a purchaser of commodities for consumption by the executive departments of the United States.

Complaint.

10 2. The defendants The Cooper Corporation, The Dayton Rubber Manufacturing Company, The Falls Rubber Co., The Firestone Tire and Rubber Co., The General Tire and Rubber Company, The Goodyear Tire and Rubber Company, Inc., and The Seiberling Rubber Company are corporations organized and existing under the laws of the State of Ohio; the defendants Dunlop Tire and Rubber Corporation, The B. F. Goodrich Company, The Mohawk Rubber Co. of N. Y., Inc., and Lee Tire and Rubber Co. of N. Y., Inc., are corporations organized and existing under the laws of the State of New York; the defendants The Fisk Rubber Corporation, United States Rubber Products, Inc., and U. S. Tire Dealers Corporation are corporations organized and existing under the laws of the State of Delaware; the defendant Pennsylvania Rubber Company is a corporation organized and existing under the laws of the State of Pennsylvania; the defendant The Kelly-Springfield Tire Co. is a corporation organized and existing under the laws of the State of Maryland; the defendant The Norwalk Tire and Rubber Co., Inc., is a corporation organized and existing under the laws of the State of Connecticut; the defendant F. G. Schenuit Rubber Co. is an individual, F. G. Schenuit doing business under the trade name F. G. Schenuit Rubber Co., at Baltimore, Maryland.

12 3. This suit arises under the Act of July 2, 1890, C. 647, 26 Stat. 209 (as amended by Act of August 17, 1937, C. 690, 50 Stat. 693), commonly known as the "Sherman Antitrust Act," and is founded upon Section 7 of said Act, as hereinafter more fully appears.

4. Prior to August 17, 1936, the defendants The Cooper Corporation, The Dayton Rubber Manufacturing Company, Dunlop Tire and Rubber Corporation, The Falls Rubber Co.,

Complaint.

The Firestone Tire and Rubber Co., The Fisk Rubber Corporation, The General Tire and Rubber Company, The B. F. Goodrich Company, The Goodyear Tire and Rubber Company, Inc., The Kelly-Springfield Tire Co., Lee Tire and Rubber Co. of N. Y., Inc., The Norwalk Tire and Rubber Co., Pennsylvania Rubber Company, F. G. Schenuit Rubber Co., The Seiberling Rubber Company, and United States Rubber Products, Inc., entered into a combination and conspiracy in restraint of trade and commerce among the several States and in the District of Columbia, in violation of the Act of July 2, 1890, C. 647, 26 Stat. 209 (as amended by Act of August 17, 1937, C. 690, 50 Stat. 693), commonly known as the "Sherman Antitrust Act," in that said defendants did combine and conspire and agree to fix the prices of tires on sales to the plaintiff throughout the United States.

5. On or about August 3, 1936, the Director of the Procurement Division of the plaintiff's Treasury Department, in accordance with the method of purchasing prescribed by Section 3709 of the Revised Statutes, sent circular letters to all the automobile tire manufacturers in the United States and many dealers in such tires, inviting said manufacturers and dealers to submit sealed bids per size and per Procurement purchasing zone on the tire requirements of the plaintiff throughout the United States during the six-month purchasing period October 1, 1936, to March 31, 1937.

6. Prior to August 17, 1936, the opening date for said bids, and pursuant to the illegal combination and conspiracy and agreement referred to in Paragraph 4 of this complaint and as evidence thereof, the defendants named in Paragraph 4 of this complaint did submit to the Procurement Division sealed bids that were identical to the penny on 82 different

Complaint.

sizes of automobile tires, as set forth in Column 1 of Exhibit A (pp. 1-82, inclusive) attached to this complaint and incorporated as a part hereof.

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7. As a result of said illegal combination and conspiracy and agreement and said identical bidding pursuant thereto, the Procurement Division was led and induced to make contract awards for the six-month purchasing period October 1, 1936, to March 31, 1937, at the prices fixed by the said illegal combination and conspiracy and agreement. Said awards were made to The Cooper Corporation, The Dayton Rubber Manufacturing Company, Dunlop Tire and Rubber Corporation, The Firestone Tire and Rubber Co., The Fisk Rubber Corporation, The General Tire and Rubber Company, The B. F. Goodrich Company, Goodyear Supply Company, Inc., The Goodyear Tire and Rubber Company, Inc., The Kelly-Springfield Tire Co., Lee Tire and Rubber Co. of N. Y., Inc., The Norwalk Tire and Rubber Co., Pennsylvania Rubber Company, F. G. Schenuit Rubber Co., The Seiberling Rubber Company, and United States Rubber Products, Inc. The prices at which the awards were made were substantially higher than the prices at which the awards would have been made had the said illegal combination and conspiracy and agreement not existed, as hereinafter more fully appears.

17

8. Upon notification of the Procurement awards, and in accordance with the terms of their original bids, the bidders named in the preceding Paragraph of this complaint (Par. 7) entered into formal contracts with the plaintiff to supply the tire requirements of the executive departments and other establishments of the plaintiff in Washington, D. C., the Government of the District of Columbia, and all Federal Government field services (exclusive of commissary stores)

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Complaint.

within the continental limits of the United States during the six-month purchasing period October 1, 1936, to March 31, 1937. Said contracts were made in the District of Columbia.

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9. The aforesaid several contracts with the bidders named in Paragraph 7 of this complaint specified the sizes the particular contractor undertook to furnish, and the Procurement purchasing zone or zones in which said contractor undertook to make delivery—the United States and the District of Columbia being divided for this purpose into thirteen (13) zones, with two or more states in each zone. The several contracts further specified distributing points in each zone for each contractor, at which the contractor was regularly to maintain an adequate fresh stock of tires and at which the various government agencies could place orders when and as tires were needed. Deliveries were to be made within two (2) calendar days after receipt of the order, f. o. b. railroad freight station in the continental United States, except Alaska, nearest to the point of destination stated in the shipping instructions or purchasing order.

20

10. The aforesaid several contracts with the bidders named in Paragraph 7 of this complaint contemplated the delivery of tires by the contractors to the various government agencies throughout the United States and in the District of Columbia, and in order to maintain adequate fresh stocks of tires at their distributing points, and thus meet the two-day delivery requirement on government orders, the several contractors were from time to time required to make and did make shipments of tires from their several factories or sources of supply to their several distributing points located in states other than those from which the shipments were

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made or in the District of Columbia. In order to meet specific orders under the aforesaid several contracts, the several contractors were from time to time required to make and did make shipments of tires from their several factories or sources of supply or their several distributing points to government agencies located in states other than those from which the shipments were made or in the District of Columbia.

11. During the six-month purchasing period October 1, 1936, to March 31, 1937, the plaintiff through its executive departments the Post Office Department, the Treasury Department, the Department of the Interior, and the Department of Agriculture, purchased tires under the aforesaid several contracts at the prices and in the quantities as set forth per size in Columns 1 and 11 of Exhibit A (pp. 1-82, inclusive) attached to this complaint and incorporated as a part hereof.

12. On or about December 23, 1936, the Director of the Procurement Division of the plaintiff's Treasury Department sent circular letters to all the automobile tire manufacturers in the United States and many dealers in such tires, inviting said manufacturers and dealers to submit sealed bids per size and per Procurement purchasing zone on the tire requirements of the plaintiff throughout the United States during the six-month purchasing period April 1, 1937, to September 30, 1937.

13. Prior to January 25, 1937, the opening date for said bids as extended, and pursuant to the illegal combination and conspiracy and agreement referred to in Paragraph 4 of this complaint and as evidence thereof, the defendants The

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Complaint.

Firestone Tire and Rubber Co., The Fisk Rubber Corporation, The General Tire and Rubber Company, The B. F. Goodrich Rubber Company, Inc., The Goodyear Tire and Rubber Company, Inc., The Kelly-Springfield Tire Co., Lee Tire and Rubber Co. of N. Y., Inc., Pennsylvania Rubber Company, F. G. Schenuit Rubber Co., The Seiberling Rubber Company, and also the defendant U. S. Tire Dealers Corporation, a new member admitted to the conspiracy referred to in Paragraph 4 of this complaint, did submit to the Procurement Division sealed bids that were identical to the penny on 82 different sizes of automobile tires, as set forth in Column 2 of Exhibit A (pp. 1-82, inclusive) to this complaint.

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14. As a result of the illegal combination and conspiracy and agreement referred to in Paragraph 4 of this complaint and the identical bidding pursuant thereto referred to in Paragraph 13 of this complaint, the Procurement Division was led and induced to make contract awards for the six-month purchasing period April 1, 1937, to September 30, 1937, at the prices fixed by the said illegal combination and conspiracy and agreement. Said awards were made to The Firestone Tire and Rubber Co., The Fisk Rubber Corporation, The General Tire and Rubber Company, The B. F. Goodrich Company, Goodyear Supply Company, Inc., The Goodyear Tire and Rubber Company, Inc., The Kelly-Springfield Tire Co., Lee Tire and Rubber Co. of N. Y., Inc., Pennsylvania Rubber Company, F. G. Schenuit Rubber Co., The Seiberling Rubber Company, and U. S. Tire Dealers Corporation. The prices at which the awards were made were substantially higher than the prices at which the awards would have been made had the illegal combination and conspiracy and agreement not existed, as hereinafter more fully ap-

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28 pears, and said prices were also substantially higher than the prices fixed for the preceding six-month purchasing period October 1, 1936, to March 31, 1937.

29 15. Upon notification of the Procurement awards, and in accordance with the terms of their original bids, the bidders named in the preceding paragraph of this complaint (Par. 14) entered into formal contracts with the plaintiff to supply the tire requirements of the executive departments and other establishments of the plaintiff in Washington, D. C., the Government of the District of Columbia, and all Federal Government field services (exclusive of commissary stores) within the continental limits of the United States during the six-month purchasing period April 1, 1937, to September 30, 1937. Said contracts were made in the District of Columbia.

16. The said contracts for the six-month purchasing period April 1, 1937, to September 30, 1937, contained provisions identical to those referred to in Paragraph 9 of this complaint with respect to the preceding six-month purchasing period October 1, 1936, to March 31, 1937.

30 17. The aforesaid several contracts with the bidders named in Paragraph 14 of this complaint contemplated the delivery of tires by the contractors to the various government agencies throughout the United States and in the District of Columbia, and in order to maintain adequate fresh stocks of tires at their distributing points and thus meet the two-day delivery requirement on Government orders, the several contractors were from time to time required to make and did make shipments of tires from their several factories or sources of supply to their several distributing points located in

Complaint.

states other than those from which the shipments were made or in the District of Columbia. In order to meet specific orders under the aforesaid several contracts, the several contractors were from time to time required to make and did make shipments of tires from their several factories or sources of supply or their several distributing points to government agencies located in states other than those from which the shipments were made or in the District of Columbia.

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18. During the six-month purchasing period April 1, 1937, to September 30, 1937, the plaintiff through its executive departments the Post Office Department, the Treasury Department, the Department of the Interior, and the Department of Agriculture, purchased tires under the aforesaid several contracts at the prices and in the quantities as set forth per size in Columns 2 and 12 of Exhibit A (pp. 1-82, inclusive) attached to this complaint.

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19. On or about July 6, 1937, the Director of the Procurement Division of the plaintiff's Treasury Department sent circular letters to all the automobile tire manufacturers in the United States and many dealers in such tires, inviting said manufacturers and dealers to submit sealed bids per size and per Procurement purchasing zone on the tire requirements of the plaintiff throughout the United States during the six-month purchasing period October 1, 1937, to March 31, 1938.

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20. Prior to July 21, 1937, the opening date for said bids, and pursuant to the illegal combination and conspiracy and agreement referred to in Paragraph 4 of this complaint and as evidence thereof, the defendants The Cooper Corporation,

Complaint.

34 The Dayton Rubber Manufacturing Company, The Falls Rubber Co., The Firestone Tire and Rubber Co., The Fisk Rubber Corporation, The General Tire and Rubber Company, The B. F. Goodrich Company, The Goodyear Tire and Rubber Company, Inc., The Kelly-Springfield Tire Co., Lee Tire and Rubber Co. of N. Y., Inc., The Norwalk Tire and Rubber Co., Pennsylvania Rubber Company, F. G. Schenuit Rubber Co., The Seiberling Rubber Company, United States Rubber Products, Inc., and also the defendant The Mohawk Rubber Co. of N. Y., Inc., a new member admitted to the conspiracy referred to in Paragraph 4 of this complaint, did submit to the Procurement Division sealed bids that were identical to the penny on 82 different sizes of automobile tires, as set forth in Column 3 of Exhibit A (pp. 182, inclusive) to this complaint.

35 21. The prices fixed by the said illegal combination and conspiracy for the six-month purchasing period October 1, 1937, to March 31, 1938, were substantially higher than the prices fixed for the preceding six-month period. Confronted with continued identical bidding and continued increases in prices, the Treasury Department sought the counsel of the plaintiff's Attorney General, and was advised by the Attorney General that rejection of the bids submitted for the six-month purchasing period October 1, 1937, to March 31, 1938, would be in order, on the ground that the bids were *prima facie* the result of a combination in restraint of trade.

36 22. Upon receipt of said advice, the Director of the Procurement Division rejected said bids opened July 21, 1937, and on or about September 11, 1937, again sent circular letters to all the automobile tire manufacturers in the United States and many dealers, advising said manufacturers and

Complaint.

dealers that the bids opened July 21, 1937, had been rejected because of the indication of agreement among bidders on the prices to be bid, and inviting said manufacturers and dealers to submit new sealed bids per size and per Procurement purchasing zone on the tire requirements of the plaintiff throughout the United States during the six-month purchasing period October 1, 1937, to March 31, 1938.

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23. Prior to September 20, 1937, the opening date for said new bids, the defendants named in Paragraph 20 of this complaint, with the exception of F. G. Schenuit Rubber Co., did resolve to continue in effect the illegal combination and conspiracy referred to in Paragraph 4 of this complaint, and pursuant to such resolution said defendants did submit to the Procurement Division new sealed bids that were identical to the penny on 82 different sizes of automobile tires and that were also identical to the penny to the rejected bids previously submitted by the defendants for the same period, as set forth in Column 4 of Exhibit A (pp. 1-82, inclusive) to this complaint.

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24. Upon examination of the new bids opened September 20, 1937, the Treasury Department rejected said bids as collusive, and thereupon determined that a public exigency existed requiring that the plaintiff's tire requirements for the period October 1, 1937, to March 31, 1938, be procured by open purchase or negotiated contract. In accordance with such determination, and after preliminary negotiations, the plaintiff through its Director of Procurement entered into a contract with Sears, Roebuck and Company whereby the latter agreed to furnish and did furnish the plaintiff's tire requirements throughout the United States (with the exception of a limited number of miscellaneous sizes) for the

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Complaint.

40 period October 1, 1937, to March 31, 1938, at prices lower than the prices for such period fixed by the illegal combination and conspiracy referred to in Paragraph 4 of this complaint but substantially higher than the prices at which awards for such period would have been made had the said illegal combination and conspiracy not existed, as herein-after more fully appears. Said Sears, Roebuck and Company prices (inclusive of Federal excise tax) for the period October 1, 1937, to March 31, 1938, appear per 82 different sizes in Column 5 of Exhibit A (pp. 1-82, inclusive) to this complaint.

41 25. On or about January 21, 1938, the Director of the Procurement Division of the plaintiff's Treasury Department sent circular letters to all the automobile tire manufacturers in the United States and many dealers in such tires, inviting said manufacturers and dealers to submit sealed bids per size and per Procurement purchasing zone on the tire requirements of the plaintiff throughout the United States during the six-month purchasing period April 1, 1938, to September 30, 1938. On this occasion said Director of Procurement expressly required that all bids submitted pursuant to such invitation contain a representation by the bidder that the prices bid were neither directly nor indirectly the result of any agreement among bidders.

42 26. Among others, all the defendants in this proceeding, except the Dunlop Tire and Rubber Corporation and U. S. Tire Dealers Corporation, submitted bids for the six-month purchasing period April 1, 1938, to September 30, 1938. The bids for such period, opened February 7, 1938, were found to be competitive in character, and appear per 82 different sizes in Column 6 of Exhibit A (pp. 1-82, inclusive) attached to this complaint.

Complaint.

27. As a result of the competitive character of the bids for the six-month purchasing period April 1, 1938, to September 30, 1938, as contrasted with the non-competitive character of the bids for the three preceding six-month periods October 1, 1936, to March 31, 1937, April 1, 1937, to September 30, 1937, and October 1, 1937, to March 31, 1938, the plaintiff was enabled to procure its tire requirements for the period April 1, 1938, to September 30, 1938, at prices substantially lower than the prices at which the plaintiff procured its tires for the three preceding six-month periods. Said prices at which the plaintiff procured its tires for the period April 1, 1938, to September 30, 1938, appear per 82 different sizes in Column 7 of Exhibit A (pp. 1-82, inclusive) attached to this complaint.

28. Had there been no illegal combination and conspiracy to fix the prices at which the plaintiff purchased its tires for the periods October 1, 1936, to March 31, 1937, April 1, 1937, to September 30, 1937, and October 1, 1937, to March 31, 1938, the plaintiff would have purchased its tires for said periods at prices at least as low as the prices at which the plaintiff purchased its tires for the period April 1, 1938, to September 30, 1938. The decline in the prices which the plaintiff paid for tires for the first three six-month periods to the prices which the plaintiff paid for tires during the period April 1, 1938, to September 30, 1938, was due solely to the elimination of the illegal combination and conspiracy to fix prices referred to in Paragraph 4 of this complaint and the advent of competitive bidding. From October 1, 1936, to September 30, 1938, there was no decline in the retail prices of tires to the general public throughout the United States.

Complaint.

46 29. As a result of the aforesaid illegal combination and conspiracy to fix the prices of tires on sales to the plaintiff throughout the United States, the plaintiff was injured in its property at least to the extent of the difference between the prices at which it purchased tires during the period October 1, 1936, to March 31, 1937, and the prices at which it purchased tires during the period April 1, 1938, to September 30, 1938. The amount of such difference per 82 different sizes of tires appears in Column 8 of Exhibit A (pp. 1-82, inclusive) attached to this complaint. The minimum injury on a particular size of tire is obtained by multiplying such difference for that size by the number of tires of that size purchased, as appears in Column 11 of Exhibit A (pp. 1-82, inclusive) attached to this complaint. The total minimum injury thus sustained by the plaintiff on the purchases referred to in Paragraph 11 of this complaint amounts to \$98,997.57.

47 30. As a result of the aforesaid illegal combination and conspiracy to fix the prices of tires on sales to the plaintiff throughout the United States the plaintiff was injured in its property at least to the extent of the difference between the prices at which it purchased tires during the period April 1, 1937, to September 30, 1937, and the prices at which it purchased tires during the period April 1, 1938, to September 30, 1938. The amount of such difference per 82 different sizes of tires appears in Column 9 of Exhibit A (pp. 1-82, inclusive) attached to this complaint. The minimum injury on a particular size of tire is obtained by multiplying such difference for that size by the number of tires of that size purchased, as appears in Column 12 of Exhibit A (pp. 1-82, inclusive) attached to this complaint. The total minimum

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Complaint.

injury thus sustained by the plaintiff on the purchases referred to in Paragraph 18 of this complaint amounts to \$127,160.64.

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31. As a result of the aforesaid illegal combination and conspiracy to fix the prices of tires on sales to the plaintiff throughout the United States, the plaintiff was injured in its property at least to the extent of the difference between the prices at which it purchased tires during the period October 1, 1937, to March 31, 1938, and the prices at which it purchased tires during the period April 1, 1938, to September 30, 1938. The amount of such difference (computed without deduction of Federal excise tax) appears per 82 different sizes of tires in Column 10 of Exhibit A (pp. 1-82, inclusive) attached to this complaint. The minimum injury on a particular size of tire is obtained by multiplying such difference (less deduction of Federal excise tax) for that size by the number of tires of that size purchased. The total minimum injury sustained by the plaintiff on tire purchases during the period October 1, 1937, to March 31, 1938, is estimated at \$125,000.

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Wherefore, the plaintiff, in accordance with the provisions of Section 7 of the Sherman Antitrust Act, demands judgment against the defendants in the amount of \$1,053,474.63, representing thrice the actual damages sustained by the plaintiff on the purchases referred to in Paragraph 11 of this complaint, plus thrice the actual damages sustained by the plaintiff on the purchases referred to in Paragraph 18 of this complaint, plus thrice the estimated actual damages sustained by the plaintiff on tire purchases during the period October 1, 1937, to March 31, 1938, and plaintiff further

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Complaint.

demand judgment against the defendants for the costs of this suit, including a reasonable attorney's fee.

52

(Signed) GREGORY F. NOONAN,
*United States District Attorney for
the Southern District of New York.*

FRANK MURPHY,
Attorney General of the United States.

THURMAN ARNOLD,
Assistant Attorney General.

53

ALLEN DOBEY,
Special Assistant to the Attorney General.

JOSEPH MCDOWELL,
Special Attorney.

RICHARD DECKER,
Special Attorney.

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EXHIBIT A (P. 1)

SIZE: 4.50 BY 21 (PASSENGER, 4 PLY)

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 6/9/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roebuck & Co. price for period 10/1/37 to 3/31/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference between 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 award price	Column 9 Difference between 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price	Column 10 Difference between 10/1/37 to 3/31/38 price and 4/1/38 to 9/30/38 award price
Sears, Roebuck & Co	....	....	....	....	\$4.73	\$4.63	\$4.16	\$0.33	\$0.60	\$0.57
The Cooper Corp	\$4.49	....	\$5.05	\$5.05	....	4.76	....	....	....	....
Dayton Rubber Mfg	4.49	....	5.05	5.05	....	4.76	....	....	....	....
Dunlop Tire	4.49	....	....	....	....	....	....	....	....	....
Falls Rubber Corp	4.49	....	....	....	....	....	....	....	....	....
Firestone Tire	4.49	\$4.76	5.05	5.05	....	4.26	....	....	....	25
Fisk Rubber Corp	4.49	4.76	5.05	5.05	....	4.25	....	....	....	....
General Tire	4.49	4.76	5.05	5.05	....	5.07	....	....	....	....
B. F. Goodrich Co	4.49	4.76	5.05	5.05	....	4.64	....	....	....	....
Goodyear Tire	4.49	4.76	5.05	5.05	....	5.97	....	....	....	....
Hicks Rubber Co.	....	....	....	....	....	5.42	....	....	....	....
Kelly-Springfield	4.49	4.76	5.05	5.05	....	4.87	....	....	....	....
Lee Tire & Rubber	4.49	4.76	5.05	5.05	....	5.36	....	....	....	....
Mohawk	....	....	5.05	5.05	....	5.05	....	....	....	....
Norwalk Tire	4.49	....	....	5.05	....	5.57	....	....	....	....
Pennsylvania	4.49	4.76	5.05	5.05	....	4.45	....	....	....	....
F. G. Schenuit	4.49	....	....	....	....	5.96	....	....	....	....
Seiberling Rubber	4.49	4.76	....	....	....	4.16	....	....	....	....
U. S. Rubber Prod	4.49	....	5.05	5.05	....	4.22	....	....	....	....
U. S. Tire Dealers	....	4.76	....	....	....	....	....	....	....	....

Column 11

Number of tires purchased during period 10/1/36 to 3/31/37

19

10

25

Damages sustained on such purchases (10X\$0.33) \$3.30

Damages sustained on such purchases (25X\$0.60) \$15.00

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57

EXHIBIT A (P. 2)

SIZE: 4.50 BY 21 (PASSENGER, 6 PLY)

[illegible]

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roebuck & Co. price for period 10/1/37 to 3/31/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference between 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 award price	Column 9 Difference between 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price	Column 10 Difference between 10/1/37 to 3/31/38 price and 4/1/38 to 9/30/38 award price
Sears, Roebuck & Co	....	....	....	....	\$5.06	\$4.86	\$4.34	\$0.48	\$0.77	\$0.72
The Cooper Corp	\$4.82	....	\$5.42	\$5.42	....	4.89	....	....	....	....
Dayton Rubber Mfg	4.82	....	5.42	5.42	....	5.13	....	....	....	....
Dunlop Tire	4.82	....	....	....	....	....	....	....	....	....
Falls Rubber Corp	4.82	....	5.42	5.42	....	4.95	....	....	....	....
Firestone Tire	4.82	....	5.42	5.42	....	4.55	....	....	....	....
Fisk Rubber Corp	4.82	\$5.11	5.42	5.42	....	4.62	....	....	....	....
General Tire	4.82	5.11	5.42	5.42	....	5.21	....	....	....	....
B. F. Goodrich Co	4.82	5.11	5.42	5.42	....	4.47	....	....	....	....
Goodyear Tire	4.82	5.11	5.42	5.42	....	7.27	....	....	....	....
Hicks Rubber Co	....	....	....	....	....	5.67	....	....	....	....
Kelly-Springfield	4.82	5.11	5.42	5.42	....	5.01	....	....	....	....
Lee Tire & Rubber	4.82	5.11	5.42	5.42	....	5.37	....	....	....	....
Mohawk	....	....	5.42	5.42	....	5.19	....	....	....	....
Norwalk Tire	4.82	....	5.42	5.42	....	5.73	....	....	....	....
Pennsylvania	4.82	5.11	5.42	5.42	....	4.76	....	....	....	....
F. G. Schenuit	4.82	....	....	....	....	6.13	....	....	....	....
Seiberling Rubber	4.82	5.11	5.42	5.42	....	4.34	....	....	....	....
U. S. Rubber Prod	4.82	....	5.42	5.42	....	4.21	....	....	....	....
U. S. Tire Dealers	....	5.11	....	....	....	....	....	....	....	....

Column 11
Number of tires purchased during period 10/1/36 to 3/31/37
46

Column 12
Number of tires purchased during period 4/1/37 to 9/30/37
40

Damages sustained on such purchases (46X\$0.48)
\$22.08

Damages sustained on such purchases (40X\$0.77)
\$30.80

EXHIBIT A (P.4)

SIZE: 4.75 BY 19 (PASSENGER, 6 PLY)

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roebuck & Co. price for period 10/1/37 to 3/31/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference be- tween 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 award price	Column 9 Difference be- tween 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price	Column 10 Difference be- tween 10/1/37 to 3/31/38 price and 4/1/38 to 9/30/38 award price
Bears, Roebuck & Co	....	....	....	....	\$6.25	\$6.16	\$5.29	\$0.65	\$1.01	\$0.96
The Cooper Corp	\$5.94	....	\$6.68	\$6.68	....	5.49	....	....	....	....
Dayton Rubber Mfg	5.94	....	6.68	6.68	....	6.36	....	....	....	....
Dunlop Tire	5.94	....	....	....	....	....	....	....	....	....
Falls Rubber Corp	5.94	....	6.68	6.68	....	5.48	....	....	....	....
Firestone Tire	5.94	\$6.30	6.68	6.68	....	5.60	....	....	....	....
Fisk Rubber Corp	5.94	6.30	6.68	6.68	....	5.53	....	....	....	....
General Tire	5.94	6.30	6.68	6.68	....	6.51	....	....	....	....
B. F. Goodrich Co	5.94	6.30	6.68	6.68	....	5.60	....	....	....	....
Goodyear Tire	5.94	6.30	6.68	6.68	....	9.31	....	....	....	....
Hicks Rubber Co	....	....	....	....	....	6.85	....	....	....	....
Kelly-Springfield	5.94	6.30	6.68	6.68	....	6.31	....	....	....	....
Lee Tire & Rubber	5.94	6.30	6.68	6.68	....	6.38	....	....	....	....
Mohawk	....	....	6.68	6.68	....	6.49	....	....	....	....
Norwalk Tire	5.94	....	6.68	6.68	....	7.16	....	....	....	....
Pennsylvania	5.94	6.30	6.68	6.68	....	5.88	....	....	....	....
F. G. Schenquit	5.94	....	....	....	....	7.66	....	....	....	....
Seiberling Rubber	5.94	6.30	6.68	6.68	....	5.29	....	....	....	....
U. S. Rubber Prod	5.94	....	6.68	6.68	....	5.42	....	....	....	....
U. S. Tire Dealers	....	6.30	....	....	....	....	....	....	....	....

Column 12

Column 11

Number of tires purchased during period 4/1/37 to 9/30/37

2,432

2,371

Damages sustained on such purchases

(2,371 X \$0.65)

\$1,541.15

(2,432 X \$1.01)

\$2,456.32

EXHIBIT A (P. 5)

SIZE: 5.00 BY 17 (PASSENGER, 4 PLY)

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roebuck & Co. prices for period 10/1/37 to 3/31/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference be- tween 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 award price	Column 9 Difference be- tween 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price	Column 10 Difference be- tween 10/1/37 to 3/31/38 price and 4/1/38 to 9/30/38 award price
Sears, Roebuck & Co	....	....	....	....	\$5.42	\$5.10	\$4.54	\$0.43	\$0.73	\$0.88
The Cooper Corp	....	....	....	....	....	....	....	....	....	....
Dayton Rubber Mfg	....	....	....	....	....	....	....	....	....	....
Dunlop Tire	\$4.97	....	....	....	....	....	....	....	....	....
Falls Rubber Corp	....	....	....	....	....	....	....	....	....	....
Firestone Tire	4.97	\$5.27	\$5.59	\$5.59	....	4.54	....	....	....	12
Fisk Rubber Corp	4.97	5.27	5.59	5.59	....	4.71	....	....	....	....
General Tire	4.97	5.27	5.59	5.59	....	5.31	....	....	....	....
B. F. Goodrich Co	4.97	5.27	5.59	5.59	....	4.93	....	....	....	....
Goodyear Tire	4.97	5.27	5.59	5.59	....	6.26	....	....	....	....
Hicks Rubber Co	....	....	....	....	....	....	....	....	....	....
Kelly-Springfield	4.97	....	....	....	....	5.13	....	....	....	....
Lee Tire & Rubber	....	....	....	....	....	....	....	....	....	....
Mohawk	....	....	....	....	....	....	....	....	....	....
Norwalk Tire	....	....	....	....	....	....	....	....	....	....
Pennsylvania	....	....	....	....	....	....	....	....	....	....
F. G. Schenuit	....	....	....	....	....	....	....	....	....	....
Seiberling Rubber	....	5.27	....	....	....	....	....	....	....	....
U. S. Rubber Prod	4.97	....	5.59	5.59	....	4.97	....	....	....	....
U. S. Tire Dealers	....	5.27	....	....	....	....	....	....	....	....

Column 11

Column 12

Number of tires purchased during period 10/1/36 to 3/31/37

Number of tires purchased during period 4/1/37 to 9/30/37

8

12

Damages sustained on such purchases (8X\$0.43) \$3.44

Damages sustained on such purchases (12X\$0.73) \$8.76

EXHIBIT A (P. 6)

SIZE: 5.00 BY 19 (PASSENGER, 4 PLY)

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/23/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roe- buck & Co. price for period 10/1/37 to 3/31/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference be- tween 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 highest award price	Column 9 Difference be- tween 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 highest award price	Column 10 Difference be- tween 10/1/37 to 3/31/38 price and 4/1/38 to 9/30/38 highest award price
Sears, Roebuck & Co	....	....	....	....	\$5.54	\$5.18	\$4.51	\$0.58	\$0.89	\$1.03
The Cooper Corp	\$5.09	....	\$5.72	\$5.72	....	5.15	....	....	....	....
Dayton Rubber Mfg	5.09	....	5.72	5.72	....	5.43	....	....	....	....
Dunlop Tire	5.09	....	....	....	....	....	....	....	....	....
Falls Rubber Corp	5.09	....	5.72	5.72	....	5.36	....	....	....	....
Firestone Tire	5.09	\$5.40	5.72	5.72	....	4.92	....	....	....	....
Fisk Rubber Corp	5.09	5.40	5.72	5.72	....	4.79	....	....	....	....
General Tire	5.09	5.40	5.72	5.72	....	5.61	....	....	....	....
B. F. Goodrich Co	5.09	5.40	5.72	5.72	....	4.99	....	....	....	....
Goodyear Tire	5.09	5.40	5.72	5.72	....	6.63	....	....	....	....
Hicks Rubber Co	....	....	....	....	....	5.93	....	....	....	....
Kelly-Springfield	5.09	5.40	5.72	5.72	....	5.40	....	....	....	....
Lee Tire & Rubber	5.09	5.40	5.72	5.72	....	5.59	....	....	....	....
Mohawk	....	....	5.72	5.72	....	5.60	....	....	....	....
Norwalk Tire	5.09	....	5.72	5.72	....	6.18	....	....	....	....
Pennsylvania	5.09	5.40	5.72	5.72	....	5.21	....	....	....	....
F. G. Schenuit	5.09	....	....	....	....	6.61	....	....	....	....
Seiberling Rubber	5.09	5.40	5.72	5.72	....	4.51	....	....	....	....
U. S. Rubber Prod	5.09	....	5.72	5.72	....	4.51	....	....	....	....
U. S. Tire Dealers	....	5.40	....	....	....	....	....	....	....	....
								Number of tires pur- chased during period 10/1/36 to 3/31/37	Number of tires purchased during period 4/1/37 to 9/30/37	
								26		34
								Damages sustained	Damages sustained	
								on such purchases	on such purchases	
								(26X\$0.58)	(34X\$0.89)	
								\$15.08	\$30.26	

EXHIBIT A (P. 7)

SIZE: 5.00 BY 19 (PASSENGER, 6 PLY)

Company	Column 1 Opening of 8/1/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roebuck & Co. price for period 10/1/37 to 3/31/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference be- tween 10/1/36 to 9/31/37 award price and 4/1/38 to 9/30/38 award price	Column 9 Difference be- tween 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price	Column 10 Difference be- tween 10/1/37 to 3/31/38 price and 4/1/38 to 9/30/38 award price
Sears, Roebuck & Co.	....	....	....	....	\$6.85	\$6.56	\$5.51	\$1.02	\$1.41	\$1.34
The Cooper Corp	\$6.53	....	\$7.34	\$7.34	....	5.79	....	....	....	....
Dayton Rubber Mfg	6.53	....	7.34	7.34	....	7.03	....	....	....	....
Dunlop Tire	6.53	....	....	....	....	....	....	....	....	....
Falls Rubber Corp	6.53	....	7.34	7.34	....	5.92	....	....	....	....
Firestone Tire	6.53	\$6.92	7.34	7.34	....	6.05	....	....	....	....
Fisk Rubber Corp	6.53	6.92	7.34	7.34	....	5.71	....	....	....	....
General Tire	6.53	6.92	7.34	7.34	....	7.03	....	....	....	....
B. F. Goodrich Co.	6.53	6.92	7.34	7.34	....	6.25	....	....	....	....
Goodyear Tire	6.53	6.92	7.34	7.34	....	8.30	....	....	....	....
Hicks Rubber Co.	....	....	....	....	....	7.31	....	....	....	....
Kelly-Springfield	6.53	6.92	7.34	7.34	....	6.83	....	....	....	....
Lee Tire & Rubber	6.53	6.92	7.34	7.34	....	7.00	....	....	....	....
Mohawk	....	....	7.34	7.34	....	7.01	....	....	....	....
Norwalk Tire	6.53	....	7.34	7.34	....	7.74	....	....	....	....
Pennsylvania	6.53	6.92	7.34	7.34	....	6.44	....	....	....	....
F. G. Schenuit	6.53	....	....	....	....	8.28	....	....	....	....
Seiberling Rubber	6.53	6.92	7.34	7.34	....	5.51	....	....	....	....
U. S. Rubber Prod	6.53	....	7.34	7.34	....	5.80	....	....	....	....
U. S. Tire Dealers	....	6.92	....	....	....	....	....	....	....	....

Column 11

Number of tires pur-
chased during period
10/1/36 to 3/31/37

73

56

Damages sustained
on such purchases

(73X\$1.02)

\$74.46

Damages sustained
on such purchases

(56X\$1.41)

\$78.96

73

74

75

EXHIBIT A (P. 8)

SIZE: 5.25 BY 17 (PASSENGER, 4 PLY).

[illegible]

SIZE: 5.25 BY 17 (PASSENGER, 6 PLY)

SIZE: 5.25 BY 17 (PASSENGER, 6 PLY)

81

EXHIBIT A (P. 10)

SIZE: 5.25 BY 18 (PASSENGER, 4 PLY)

Company	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10
	Opening of 7/21/37 for period 10/1/37 to 3/31/37	Opening of 7/21/37 for period 10/1/37 to 3/31/37	Opening of 7/21/37 for period 10/1/37 to 3/31/37	Opening of 7/21/37 for period 10/1/37 to 3/31/37	Sears, Roebuck & Co. price for period 10/1/37 to 3/31/37	Opening of 2/7/38 for period 4/1/38 to 9/30/38	Award prices 4/1/38 to 9/30/38	Difference between 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 highest award price	Difference between 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 highest award price	Difference between 10/1/37 to 3/31/38 price and 4/1/38 to 9/30/38 highest award price
Sears, Roebuck & Co	5.78	6.50	6.50	6.50	\$6.05	\$5.15	\$5.01	\$0.77	\$1.12	\$1.04
The Cooper Corp	5.78	6.50	6.50	6.50	5.46	(Zones 1-5)				
Dayton Rubber Mfg	5.78	6.50	6.50	6.50	6.16	4.90				
Dunlop Tire	5.78	6.50	6.50	6.50	5.05	(All others)				
Falls Rubber Corp	5.78	6.50	6.50	6.50	5.01					
Firestone Tire	5.78	6.50	6.50	6.50	6.14					
Fisk Rubber Corp	5.78	6.50	6.50	6.50	6.14					
General Tire	5.78	6.50	6.50	6.50	6.14					
B. F. Goodrich Co	5.78	6.50	6.50	6.50	6.14					
General Tire	5.78	6.50	6.50	6.50	6.14					
Hicks Rubber Co	5.78	6.50	6.50	6.50	6.14					
Kelly-Springfield	5.78	6.50	6.50	6.50	6.14					
Lee Tire & Rubber	5.78	6.50	6.50	6.50	6.14					
Mohawk	5.78	6.50	6.50	6.50	6.14					
Norwalk Tire	5.78	6.50	6.50	6.50	6.14					
Pennsylvania	5.78	6.50	6.50	6.50	6.14					
F. G. Schenuit	5.78	6.50	6.50	6.50	6.14					
Seiberling Rubber	5.78	6.50	6.50	6.50	6.14					
U. S. Rubber Prod	5.78	6.50	6.50	6.50	6.14					
U. S. Tire Dealers	5.78	6.50	6.50	6.50	6.14					

EXHIBIT A (P. 11)

SIZE: 5.25 BY 18 (PASSENGER, 6 PLY)

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roebuck & Co. price for period 10/1/37 to 3/31/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference be- tween 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 award price	Column 9 Difference be- tween 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price	Column 10 Difference be- tween 10/1/37 to 3/31/38 price and 4/1/38 to 9/30/38 award price
Sears, Roebuck & Co	....	....	....	....	\$7.47	\$6.95	\$6.17	\$0.93	\$1.36	\$1.17
The Cooper Corp	\$7.23	....	\$8.12	\$8.12	....	6.09	(Zones 1-5)			
Dayton Rubber Mfg	7.23	....	8.12	8.12	....	7.76	6.30			
Dunlop Tire	7.23	....	....	....	....	....	(All others)			
Falls Rubber Corp	7.23	....	8.12	8.12	....	....	Column 11	Column 12		
Firestone Tire	7.23	\$7.66	8.12	8.12	....	6.28	Number of tires pur- chased during period 10/1/36 to 3/31/37	Number of tires purchased during period 4/1/37 to 9/30/37		
Fisk Rubber Corp	7.23	7.66	8.12	8.12	....	6.17				
General Tire	7.23	7.66	8.12	8.12	....	7.69				
B. F. Goodrich Co	7.23	7.66	8.12	8.12	....	6.72	1.872	1,342		
Goodyear Tire	7.23	7.66	8.12	8.12	....	7.20				
Hicks Rubber Co	....	....	....	....	....	7.39	Damages sustained	Damages sustained		
Kelly-Springfield	7.23	7.66	8.12	8.12	....	7.49	on such purchases	on such purchases		
Lee Tire & Rubber	7.23	7.66	8.12	8.12	....	7.24	(1,872X\$0.93)	(1,342X\$1.36)		
Mohawk	....	....	8.12	8.12	....	7.68	\$1,740.96	\$1,825.12		
Norwalk Tire	7.23	....	8.12	8.12	....	8.49				
Pennsylvania	7.23	7.66	8.12	8.12	....	6.54				
F. G. Schenuit	7.23	....	....	....	....	9.10				
Seiberling Rubber	7.23	7.66	8.12	8.12	....	6.40				
U. S. Rubber Prod	7.23	....	8.12	8.12	....	6.30				
U. S. Tire Dealers	....	7.66	....	....	....	....

EXHIBIT A (P. 12)

SIZE: 5.25 BY 19 (PASSENGER, 4 PLY)

Company	Column 1 Opening of 8/17/33 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roebuck & Co. price for period 10/1/37 to 3/31/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference between 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 award price	Column 9 Difference between 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price	Column 10 Difference between 10/1/37 to 3/31/38 price and 4/1/38 to 9/30/38 award price
Sears, Roebuck & Co	\$6.04	\$6.04	\$6.78	\$6.78	\$6.40	\$5.82	\$5.31	\$0.73	\$1.09	\$1.09
The Cooper Corp	6.04	6.04	6.78	6.78	5.69	6.43				
Dayton Rubber Mfg	6.04	6.04	6.78	6.78	.....	.....		
Dunlop Tire	6.04	6.04	6.78	6.78	.....	.....		
Falls Rubber Corp	6.04	6.04	6.78	6.78	.....	.....		
Firestone Tire	6.04	\$6.40	6.78	6.78	5.31	6.34				
Fisk Rubber Corp	6.04	6.40	6.78	6.78	5.19	6.21				
General Tire	6.04	6.40	6.78	6.78	.....	.....		
B. F. Goodrich Co	6.04	6.40	6.78	6.78	.....	.....		
Goodyear Tire	6.04	6.40	6.78	6.78	.....	.....		
Hicks Rubber Co	.....	.....	.....	.....	.....	.....
Kelly-Springfield	6.04	6.40	6.78	6.78	.....	.....		
Lee Tire & Rubber	6.04	6.40	6.78	6.78	.....	.....		
Mohawk	.....	.....	.....	.....	.....	.....
Norwalk Tire	6.04	6.40	6.78	6.78	.....	.....		
Pennsylvania	6.04	6.40	6.78	6.78	.....	.....		
F. G. Schenuit	.....	.....	.....	.....	.....	.....
Seiberling Rubber	6.04	6.40	6.78	6.78	.....	.....		
U. S. Rubber Prod	6.04	6.40	6.78	6.78	.....	.....		
U. S. Tire Dealers	.....	6.40	.....	.....	.....	.....

EXHIBIT A (P. 13)

SIZE: 5.25 BY 19 (PASSENGER, 6 PLY)

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roebuck & Co. price for period 10/1/37 to 3/31/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference be- tween 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 award price	Column 9 Difference be- tween 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price	Column 10 Difference be- tween 10/1/37 to 3/31/38 price and 4/1/38 to 9/30/38 award price
Sears, Roebuck & Co	.....	.....	.....	.....	\$8.05	\$7.55	\$6.51	\$1.17	\$1.63	\$1.54
The Cooper Corp	\$7.68	.....	\$8.63	\$8.63	.....	6.36	Column 11			
Dayton Rubber Mfg	7.68	.....	8.63	8.63	.....	8.26	Column 12			
Dunlop Tire	.....	.....	.....	.....	.....	.....	Number of tires pur- chased during period 10/1/36 to 3/31/37			
Falls Rubber Corp	7.68	.....	.....	.....	.....	.....	19			
Firestone Tire	7.68	\$8.14	8.63	8.63	.....	6.51	25			
Fisk Rubber Corp	.....	.....	.....	.....	.....	.....	Damages sustained			
General Tire	7.68	8.14	8.63	8.63	.....	7.96	Damages sustained			
B. F. Goodrich Co	7.68	8.14	8.63	8.63	.....	7.74	on such purchases			
Goodyear Tire	7.68	8.14	8.63	8.63	.....	.....	(19X\$1.17)			
Hicks Rubber Co	.....	.....	.....	.....	.....	7.56	\$22.23			
Kelly-Springfield	7.68	8.14	8.63	8.63	.....	7.66	(25X\$1.63)			
Lee Tire & Rubber	7.68	8.14	8.63	8.63	.....	7.52	\$40.75			
Mohawk	.....	.....	8.63	8.63	.....	7.92				
Norwalk Tire	7.68	.....	8.63	8.63	.....	.....		
Pennsylvania	7.68	8.14	8.63	8.63	.....	7.57				
F. G. Schenuit	.....	.....	.....	.....	.....	.....
Seiberling Rubber	7.68	8.14	.....	.....	.....	.....
U. S. Rubber Prod	7.68	.....	8.63	8.63	.....	7.44				
U. S. Tire Dealers	.....	.....	.....	.....	.....	.....

EXHIBIT A (P. 14)

SIZE: 5.50 BY 16 (PASSENGER, 4 PLY)

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roebuck & Co. price for period 10/1/37 to 3/31/38	Column 6 Opening of 2/20/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference between 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 highest award price	Column 9 Difference between 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 highest award price	Column 10 Difference between 10/1/37 to 3/31/38 price and 4/1/38 to 9/30/38 highest award price
Sears, Roebuck & Co	....	....	....	....	\$6.34	\$5.79	\$4.77	\$1.49	\$1.87	\$1.57
The Cooper Corp	....	....	....	....	....	....	....	....	....	....
Dayton Rubber Mfg	....	....	\$7.04	\$7.04	....	6.70	....	....	....	....
Dunlop Tire	....	....	....	....	....	....	....	....	....	....
Falls Rubber Corp	....	....	7.04	7.04	....	5.34	....	....	....	....
Firestone Tire	\$6.26	\$6.64	7.04	7.04	....	4.77	....	....	....	17
Fisk Rubber Corp	....	....	....	....	....	5.02	....	....	....	....
General Tire	....	6.64	7.04	7.04	....	6.67	....	....	....	....
B. F. Goodrich Co	6.26	6.64	7.04	7.04	....	5.28	....	....	....	....
Goodyear Tire	6.26	6.64	7.04	7.04	....	7.82	....	....	....	....
Hicks Rubber Co	....	....	....	....	....	6.74	....	....	....	....
Kelly-Springfield	....	6.64	7.04	7.04	....	7.16	....	....	....	....
Lee Tire & Rubber	....	6.64	7.04	7.04	....	5.58	....	....	....	....
Mohawk	....	....	7.04	7.04	....	6.66	....	....	....	....
Norwalk Tire	....	....	....	....	....	7.37	....	....	....	....
Pennsylvania	....	6.64	7.04	7.04	....	5.96	....	....	....	....
F. G. Schenuit	....	....	....	....	....	....	....	....	....	....
Scibeling Rubber	6.26	6.64	7.04	7.04	....	5.14	....	....	....	....
U. S. Rubber Prod	6.26	....	7.04	7.04	....	5.56	....	....	....	....
U. S. Tire Dealers	....	6.64	....	....	....	....	....	....	....	....

Column 11
Number of tires purchased during period 10/1/36 to 3/31/37

Column 12
Number of tires purchased during period 4/1/37 to 9/30/37

Damages sustained on such purchases (9X\$1.49) \$13.41
Damages sustained on such purchases (17X\$1.87) \$31.79

SIZE: 5.50 BY 17 (PASSENGER, 4 PLY)

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roe- buck & Co. price for period 10/1/37 to 3/31/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference be- tween 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 award price	Column 9 Difference be- tween 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price	Column 10 Difference be- tween 10/1/37 to 3/31/38 price and 4/1/38 to 9/30/38 award price
Sears, Roebuck & Co	.....	.....	.....	.....	\$6.50	\$5.80	\$5.31	\$1.00	\$1.38	\$1.19
The Cooper Corp	\$6.31	.....	\$7.09	\$7.09	.....	6.01	.....	.....	.....	.....
Dayton Rubber Mfg	6.31	.....	7.09	7.09	.....	6.72	.....	.....	.....	.....
Dunlop Tire	6.31	.....	.....	.....	.....	.....	.....	.....	.....	.....
Falls Rubber Corp	6.31	.....	7.09	7.09	.....	6.06	.....	.....	.....	.....
Firestone Tire	6.31	\$6.69	7.09	7.09	.....	5.31	.....	.....	.....	.....
Fisk Rubber Corp	6.31	6.69	7.09	7.09	.....	5.51	.....	.....	.....	.....
General Tire	6.31	6.69	7.09	7.09	.....	6.67	.....	.....	.....	.....
B. F. Goodrich Co	6.31	6.69	7.09	7.09	.....	5.37	.....	.....	.....	.....
Goodyear Tire	6.31	6.69	7.09	7.09	.....	4.97	.....	.....	.....	.....
Hicks Rubber Co	.....	.....	.....	.....	.....	7.30	.....	.....	.....	.....
Kelly-Springfield	6.31	6.69	7.09	7.09	.....	7.28	.....	.....	.....	.....
Lee Tire & Rubber	6.31	6.69	7.09	7.09	.....	6.29	.....	.....	.....	.....
Mohawk	.....	.....	7.09	7.09	.....	6.35	.....	.....	.....	.....
Norwalk Tire	6.31	.....	7.09	7.09	.....	7.38	.....	.....	.....	.....
Pennsylvania	6.31	6.69	7.09	7.09	.....	5.77	.....	.....	.....	.....
F. G. Schenuit	6.31	.....	.....	.....	.....	7.91	.....	.....	.....	.....
Seiberling Rubber	6.31	6.69	7.09	7.09	.....	5.30	.....	.....	.....	.....
U. S. Rubber Prod	6.31	.....	7.09	7.09	.....	5.58	.....	.....	.....	.....
U. S. Tire Dealers	.....	6.69	.....	.....	.....	.....	.....	.....	.....	.....

Column 11

Number of tires pur-
chased during period
10/1/36 to 3/31/37

526

735

Damages sustained
on such purchases
(526X\$1.00)
\$526.00

Damages sustained
on such purchases
(735X\$1.38)
\$1,014.30

EXHIBIT A (P. 16)

SIZE: 5.50 BY 17 (PASSENGER, 6 PLY)

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roebuck & Co. prices for period 10/1/37 to 3/31/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference between 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 award price	Column 9 Difference between 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price	Column 10 Difference between 10/1/37 to 3/31/38 price and 4/1/38 to 9/30/38 award price
Sears, Roebuck & Co	.....	.....	.....	.....	\$7.79	\$7.09	\$6.47	\$1.10	\$1.55	\$1.32
The Cooper Corp.	\$7.57	.....	\$8.50	\$8.50	....	7.05				
Dayton Rubber Mfg	.....	.....	8.50	8.50	....	8.10				
Dunlop Tire	7.57	.....	.....	.....	....	....
Falls Rubber Corp	7.57	.....	8.50	8.50	....	7.19				
Firestone Tire	7.57	\$8.02	8.50	8.50	....	6.47				
Fisk Rubber Corp	7.57	8.02	8.50	8.50	....	6.42				7,127
General Tire	7.57	8.02	8.50	8.50	....	8.02				
B. F. Goodrich Co	7.57	8.02	8.50	8.50	....	6.92				
Goodyear Tire	7.57	8.02	8.50	8.50	....	7.15	(7,454X\$1.10)			(7,127X\$1.55)
Hicks Rubber Co	.....	.....	.....	.....	....	8.16	\$8,199.40			\$11,046.85
Kelly-Springfield	7.57	8.02	8.50	8.50	....	8.70				
Lee Tire & Rubber	7.57	8.02	8.50	8.50	....	7.71				
Mohawk	.....	.....	8.50	8.50	....	7.62				
Norwalk Tire	7.57	.....	8.50	8.50	....	8.86				
Pennsylvania	7.57	8.02	8.50	8.50	....	6.66				
F. G. Schenuit	7.57	.....	.....	.....	....	9.49				
Seiberling Rubber	7.57	8.02	8.50	8.50	....	6.38				
U. S. Rubber Prod	7.57	.....	8.50	8.50	....	6.80				
U. S. Tire Dealers	.....	8.02	.....	.....	....	.....

SIZE: 5.50 BY 18 (PASSENGER, 4 PLY)

105

EXHIBIT A (P. 18)

SIZE: 5.50 BY 18 (PASSENGER, 6 PLY)

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roe- buck & Co. price for period 10/1/37 to 3/31/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference be- tween 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 highest award price	Column 9 Difference be- tween 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 highest award price	Column 10 Differences be- tween 10/1/37 to 3/31/38 price and 4/1/38 to 9/30/38 highest award price
Sears, Roebuck & Co	....	....	....	....	\$8.17	\$7.80	\$6.84	\$1.09	\$1.57	\$1.26
The Cooper Corp	\$8.00	....	\$8.99	\$8.99	....	7.18 (Zones 1 to 5)				
Dayton Rubber Mfg	8.00	....	8.99	8.99	....	8.55	5)			
Dunlop Tire	8.00	....	....	....	....	....	6.91			
Falls Rubber Corp	8.00	....	8.99	8.99	....	....	6.86 (All others)			
Firestone Tire	8.00	8.48	8.99	8.99	....	6.91				
Fisk Rubber Corp	8.00	8.48	8.99	8.99	....	6.84				
General Tire	8.00	8.48	8.99	8.99	....	8.44				
B. F. Goodrich Co	8.00	8.48	8.99	8.99	....	8.01				
Goodyear Tire	8.00	8.48	8.99	8.99	....	10.00	185			154
Hicks Rubber Co	....	....	....	....	....	8.16				
Kelly-Springfield	8.00	8.48	8.99	8.99	....	8.15	Damages sustained			
Lee Tire & Rubber	8.00	8.48	8.99	8.99	....	7.89	on such purchases			
Mohawk	....	....	8.99	8.99	....	8.43	(185X\$1.09)			(154X\$1.57)
Norwalk Tire	8.00	....	8.99	8.99	....	9.32	\$201.65			\$241.73
Pennsylvania	8.00	8.48	8.99	8.99	....	7.68				
F. G. Schennit	8.00	....	....	....	....	9.99				
Sziberling Rubber	8.00	8.48	8.99	8.99	....	7.03				
U. S. Rubber Prod	8.00	....	8.99	99	....	7.04				
U. S. Tire Dealers	....	8.48	....	....	....	....

SIZE: 5.50 BY 19 (PASSENGER, 4 PLY)

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roebuck & Co. price for period, 10/1/37 to 3/31/38	Column 6 Opening of 2/7/38 for period, 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference be- tween 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 award price	Column 9 Difference be- tween 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price	Column 10 Difference be- tween 10/1/37 to 3/31/38 price and 4/1/38 to 9/30/38 award price
Sears, Roebuck & Co	....	....	....	....	\$6.98	\$6.47	\$5.90	\$0.85	\$1.26	\$1.08
The Cooper Corp	\$6.75	....	\$7.59	\$7.59	....	6.51	....	....	....	....
Dayton Rubber Mfg	6.75	....	7.59	7.59	....	7.16	....	....	....	....
Dunlop Tire	6.75	....	....	....	....	....	....	....	....	....
Falls Rubber Corp	6.75	....	7.59	7.59	....	6.15	....	....	....	....
Firestone Tire	6.75	\$7.16	7.59	7.59	....	5.90	....	....	....	....
Fisk Rubber Corp	6.75	7.16	7.59	7.59	....	5.90	....	....	....	....
General Tire	6.75	7.16	7.59	7.59	....	7.16	....	....	....	....
B. F. Goodrich Co	6.75	7.16	7.59	7.59	....	7.00	....	....	....	....
Goodyear Tire	6.75	7.16	7.59	7.59	....	8.49	....	....	....	....
Hicks Rubber Co	....	....	....	....	....	6.86	....	....	....	....
Kelly-Springfield	6.75	7.16	7.59	7.59	....	6.97	....	....	....	....
Lee Tire & Rubber	6.75	7.16	7.59	7.59	....	6.63	....	....	....	....
Mohawk	....	....	7.59	7.59	....	7.16	....	....	....	....
Norwalk Tire	6.75	....	7.59	7.59	....	7.91	....	....	....	....
Pennsylvania	6.75	7.16	7.59	7.59	....	6.56	....	....	....	....
F. G. Schennit	6.75	....	....	....	....	8.48	....	....	....	....
Seiberling Rubber	6.75	7.16	7.59	7.59	....	5.97	....	....	....	....
U. S. Rubber Prod	6.75	....	7.59	7.59	....	5.98	....	....	....	....
U. S. Tire Dealers	....	7.16	....	....	....	....	....	....	....	....

37

Column 12 *

Number of tires pur-
chased during period
10/1/36 to 3/31/37

8

2

Damages sustained
on such purchases
(8X\$0.85)
\$6.80

Damages sustained
on such purchases
(2X\$1.26)
\$2.52

109

110

111

EXHIBIT A (P. 20)

SIZE: 5.50 BY 19 (PASSENGER, 6 PLY)

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/23/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roebuck & Co. price for period 10/1/37 to 3/31/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference be- tween 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 award price	Column 9 Difference be- tween 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price	Column 10 Difference be- tween 10/1/37 to 3/31/38 price and 4/1/38 to 9/30/38 award price
Sears, Roebuck & Co	8.22	8.22	8.22	8.22	8.40	\$7.90	\$7.03	\$1.00	\$1.49	\$1.18
The Cooper Corp	8.22	8.22	8.22	8.22	8.22	7.63 (Zones 1-5)				
Dayton Rubber Mfg	8.22	8.22	8.22	8.22	8.22	8.77	7.22			
Dunlop Tire	8.22	8.22	8.22	8.22	8.22	....	(All others)			
Falls Rubber Corp	8.22	8.22	8.22	8.22	8.22	7.28				
Firestone Tire	8.22	8.22	8.22	8.22	8.22	7.22				
Fisk Rubber Corp	8.22	8.22	8.22	8.22	8.22	7.03				
General Tire	8.22	8.22	8.22	8.22	8.22	8.61				
B. F. Goodrich Co	8.22	8.22	8.22	8.22	8.22	8.41	18			40
Goodyear Tire	8.22	8.22	8.22	8.22	8.22	10.19				
Hicks Rubber Co	8.22	8.22	8.22	8.22	8.22	8.41	Damages sustained			
Kelly-Springfield	8.22	8.22	8.22	8.22	8.22	8.39	on such purchases			
Lee Tire & Rubber	8.22	8.22	8.22	8.22	8.22	8.41	(18X\$1.00)			(40X\$1.49)
Mohawk	8.22	8.22	8.22	8.22	8.22	8.59				\$59.60
Norwalk Tire	8.22	8.22	8.22	8.22	8.22	9.49				
Pennsylvania	8.22	8.22	8.22	8.22	8.22	7.90				
F. G. Schenutt	8.22	8.22	8.22	8.22	8.22	10.17				
Seiberling Rubber	8.22	8.22	8.22	8.22	8.22	7.30				
U. S. Rubber Prod	8.22	8.22	8.22	8.22	8.22	7.18				
U. S. Tire Dealers	8.22	8.22	8.22	8.22	8.22	....			

EXHIBIT A (P. 21)

SIZE: 6.00 BY 16 (PASSENGER, 4 PLY)

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roebuck & Co. price for period 10/1/37 to 3/31/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference between 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 award price	Column 9 Difference between 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price	Column 10 Difference between 10/1/37 to 3/31/38 price and 4/1/38 to 9/30/38 award price
Sears, Roebuck & Co	...	...	...	...	\$6.97	\$6.20	\$4.75	\$2.47	\$2.90	\$2.22
The Cooper Corp	...	...	...	...	...	6.59	Column 11			
Dayton Rubber Mfg	\$7.22	...	\$8.11	\$8.11	...	7.59	Number of tires purchased during period 10/1/36 to 3/31/37			
Dunlop Tire	7.22	...	...	...	...	...	Number of tires purchased during period 4/1/37 to 9/30/37			
Falls Rubber Corp	...	...	8.11	8.11	...	6.33	863			
Firestone Tire	7.22	\$7.65	8.11	8.11	...	5.74	507			
Fisk Rubber Corp	...	...	...	...	...	5.90	Damages sustained on such purchases			
General Tire	7.22	7.65	8.11	8.11	...	7.55	(507X\$2.47)			
B. F. Goodrich Co	7.22	7.65	8.11	8.11	...	5.72	Damages sustained on such purchases			
Goodyear Tire	7.22	7.65	8.11	8.11	...	4.75	(\$2.502.70)			
Hicks Rubber Co	...	...	...	...	...	7.69	\$1,252.29			
Kelly-Springfield	7.22	7.65	8.11	8.11	...	8.25	(863X\$2.90)			
Lee Tire & Rubber	7.22	7.65	8.11	8.11	...	6.53	\$2,502.70			
Mohawk	...	...	8.11	8.11	...	6.95				
Norwalk Tire	7.22	...	8.11	8.11	...	8.32				
Pennsylvania	7.22	7.65	8.11	8.11	...	6.55				
F. G. Schenuit	7.22	...	...	...	...	8.93				
Seiberling Rubber	7.22	7.65	8.11	8.11	...	5.72				
U. S. Rubber Prod	7.22	...	8.11	8.11	...	5.50				
U. S. Tire Dealers	...	7.65	...	...	...	...

39

115

116

117

EXHIBIT A (P. 22)

SIZE: 6.00 BY 16 (PASSENGER, 6 PLY)

Company	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10
	Opening of 8/17/36 for period 10/1/36 to 3/31/37	Opening of 1/25/37 for period 4/1/37 to 9/30/37	Opening of 7/21/37 for period 10/1/37 to 3/31/38	Opening of 9/20/37 for period 10/1/37 to 3/31/38	Sears, Roebuck & Co. price for period 10/1/37 to 3/31/38	Opening of 2/7/38 for period 4/1/38 to 9/30/38	Award prices 4/1/38 to 9/30/38	Difference between 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 highest award price	Difference between 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 highest award price	Difference between 10/1/37 to 3/31/38 price and 4/1/38 to 9/30/38 highest award price
Sears, Roebuck & Co	....	....	....	....	\$8.51	\$7.56	\$6.85	\$1.73	\$2.24	\$1.66
The Cooper Corp	....	....	....	....	....	7.61	....	....	....	....
Dayton Rubber Mfg	\$8.58	....	\$9.64	\$9.64	....	9.09	....	....	....	....
Dunlop Tire	8.58	....	....	....	....	....	....	....	....	....
Falls Rubber Corp	....	....	9.64	9.64	....	7.38	....	....	....	....
Firestone Tire	8.58	9.09	9.64	9.64	....	6.90	....	....	....	....
Fisk Rubber Corp	....	....	....	....	....	7.11	6.531	....	7.682	....
General Tire	8.58	9.09	9.64	9.64	....	8.92	....	....	....	....
B. F. Goodrich Co	8.58	9.09	9.64	9.64	....	7.13	....	....	....	....
Goodyear Tire	8.58	9.09	9.64	9.64	....	6.85	....	....	....	....
Hicks Rubber Co	....	....	....	....	....	8.68	....	....	....	....
Kelly-Springfield	8.58	9.09	9.64	9.64	....	9.77	....	....	....	....
Lee Tire & Rubber	8.58	9.09	9.64	9.64	....	7.89	....	....	....	....
Mohawk	....	....	9.64	9.64	....	8.85	....	....	....	....
Norwalk Tire	....	....	9.64	9.64	....	9.86	....	....	....	....
Pennsylvania	8.58	9.09	9.64	9.64	....	8.00	....	....	....	....
F. G. Schenuit	8.58	....	....	....	....	10.57	....	....	....	....
Seiberling Rubber	8.58	9.09	9.64	9.64	....	7.02	....	....	....	....
U. S. Rubber Prod	8.58	....	9.64	9.64	....	7.10	....	....	....	....
U. S. Tire Dealers	....	9.09	....	....	....	....	....	....	....	....
								Number of tires purchased during period 10/1/36 to 3/31/37	Number of tires purchased during period 4/1/37 to 9/30/37	
								6,531	7,682	
								Damages sustained on such purchases	Damages sustained on such purchases	
								(6,531X\$1.73)	(7,682X\$2.24)	
								\$11,238.63	\$17,267.68	

EXHIBIT A (P. 23)

SIZE: 6.00 BY 17 (PASSENGER, 4 PLY)

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roebuck & Co. price for period 10/1/37 to 3/31/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference be- tween 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 award price	Column 9 Difference be- tween 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price	Column 10 Difference be- tween 10/1/37 to 3/31/38 price and 4/1/38 to 9/30/38 award price
Sears, Roebuck & Co	7.28	7.28	7.28	7.28	7.41	\$6.90	\$5.68	\$1.60	\$2.04	\$1.73
The Cooper Corp	7.28	7.28	7.28	7.28	7.28	6.57				
Dayton Rubber Mfg	7.28	7.28	7.28	7.28	7.28	7.66				
Dunlop Tire	7.28	7.28	7.28	7.28	7.28	6.04				
Falls Rubber Corp	7.28	7.28	7.28	7.28	7.28	5.94				
Firestone Tire	7.28	7.28	7.28	7.28	7.28	5.98				
Fisk Rubber Corp	7.28	7.28	7.28	7.28	7.28	7.74				
General Tire	7.28	7.28	7.28	7.28	7.28	7.57				
B. F. Goodrich Co	7.28	7.28	7.28	7.28	7.28	5.32				
Goodyear Tire	7.28	7.28	7.28	7.28	7.28	7.78				
Hicks Rubber Co	7.28	7.28	7.28	7.28	7.28	7.44				
Kelly-Springfield	7.28	7.28	7.28	7.28	7.28	7.73				
Lee Tire & Rubber	7.28	7.28	7.28	7.28	7.28	8.55				
Mohawk	7.28	7.28	7.28	7.28	7.28	6.97				
Norwalk Tire	7.28	7.28	7.28	7.28	7.28	5.68				
Pennsylvania	7.28	7.28	7.28	7.28	7.28	6.16				
F. G. Schenuit	7.28	7.28	7.28	7.28	7.28	7.72				
Seiberling Rubber	7.28	7.28	7.28	7.28	7.28	7.72				
U. S. Rubber Prod	7.28	7.28	7.28	7.28	7.28	7.72				
U. S. Tire Dealers	7.28	7.28	7.28	7.28	7.28	7.72				

Column 11
Number of tires pur-
chased during period
10/1/36 to 3/31/37
14

Column 12
Number of tires purchased
during period 4/1/37 to
9/30/37
20

Damages sustained
on such purchases
(14X\$1.60)
\$22.40

Damages sustained
on such purchases
(20X\$2.04)
\$40.80

121

122

123

EXHIBIT A (P. 24)

SIZE: 6.00 BY 17. (PASSENGER, 6-PLY)

Company	Column 1 Opening of 8/1/36 for period to 3/31/37	Column 2 Opening of 4/1/37 for period to 9/30/37	Column 3 Opening of 7/21/37 for period to 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period to 10/1/37 to 3/31/38	Column 5 Sears, Roebuck & Co. price for period to 10/1/37 to 3/31/38	Column 6 Opening of 2/7/38 for period to 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference be- tween 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 award prices	Column 9 Difference be- tween 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price	Column 10 Difference be- tween 10/1/37 to 3/31/38 price and 4/1/38 to 9/30/38 award price
Sears, Roebuck & Co	....	....	....	....	\$8.62	\$8.07	\$7.00	\$1.60	\$2.12	\$1.62
The Cooper Corp	\$8.60	....	\$9.67	\$9.67	....	7.77	Column 11			
Dayton Rubber Mfg	8.60	....	9.67	9.67	....	9.11	Column 12			
Dunlop Tire	8.60	....	....	....	....	....	Number of tires pur- chased during period 10/1/36 to 3/31/37			
Falls Rubber Corp	8.60	....	9.67	9.67	....	7.21	392			
Firestone Tire	8.60	\$9.12	9.67	9.67	....	7.25	361			
Fisk Rubber Corp	8.60	9.12	9.67	9.67	....	8.03	Damages sustained			
General Tire	8.60	9.12	9.67	9.67	....	9.32	on such purchases			
B. F. Goodrich Co	8.60	9.12	9.67	9.67	....	9.10	Damages sustained			
Goodyear Tire	8.60	9.12	9.67	9.67	....	9.66	on such purchases			
Hicks Rubber Co	....	....	....	....	....	8.82	(392X\$1.60)			
Kelly-Springfield	8.60	9.12	9.67	9.67	....	9.05	\$627.20			
Lee Tire & Rubber	8.60	9.12	9.67	9.67	....	8.35	(361X\$2.12)			
Mohawk	....	....	9.67	9.67	....	9.29	\$765.32			
Norwalk Tire	8.60	....	9.67	9.67	....	10.27				
Pennsylvania	8.60	9.12	9.67	9.67	....	8.10				
F. G. Schenuit	8.60	....	....	....	....	....
Seiberling Rubber	8.60	9.12	9.67	9.67	....	7.00				
U. S. Rubber Prod	8.60	....	9.67	9.67	....	7.86				
U. S. Tire Dealers	....	9.12	....	....	....	....

EXHIBIT A (P. 25)

SIZE: 6.00 BY 18 (PASSENGER, 4 PLY)

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roebuck & Co. price for period 10/1/37 to 3/31/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference between 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 award price	Column 9 Difference between 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price	Column 10 Difference between 10/1/37 to 3/31/38 price and 4/1/38 to 9/30/38 award price
Sears, Roebuck & Co.	.....	.....	.....	.....	\$7.74	\$7.34	\$6.28	\$1.19	\$1.64	\$1.46
The Cooper Corp	\$7.47	....	\$8.40	\$8.40	....	6.80	Column 11 Number of tires purchased during period 10/1/36 to 3/31/37			
Dayton Rubber Mfg	7.47	....	8.40	8.40	....	7.80	Column 12 Number of tires purchased during period 4/1/37 to 9/30/37			
Dunlop Tire	....	....	....	....	....	....	2	23		
Falls Rubber Corp	....	....	8.40	8.40	....	6.30				
Firestone Tire	7.47	\$7.92	8.40	8.40	....	6.28				
Fisk Rubber Corp	7.47	7.92	8.40	8.40	....	6.33				
General Tire	7.47	7.92	8.40	8.40	....	7.95				
B. F. Goodrich Co.	7.47	7.92	8.40	8.40	....	7.74				
Goodyear Tire	7.47	7.92	8.40	8.40	....	5.58				
Hicks Rubber Co	....	....	....	....	....	8.10				
Kelly-Springfield	7.47	7.92	8.40	8.40	....	7.64				
Lee Tire & Rubber	....	....	....	....	....	....
Mohawk	....	....	8.40	8.40	....	7.90				
Norwalk Tire	7.47	....	8.40	8.40	....	....		
Pennsylvania	7.47	7.92	8.40	8.40	....	....		
F. G. Schenuit	7.47	....	....	....	....	9.38				
Seiberling Rubber	7.47	7.92	8.40	8.40	6.29				
U. S. Rubber Prod	7.47	8.40	8.40	7.43				
U. S. Tire Dealers	7.92				

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EXHIBIT A (P. 26)

SIZE: 6.00 BY 18 (PASSENGER, 6 PLY)

Company	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10
	Opening of 8/17/36 for period 10/1/36 to 3/31/37	Opening of 1/25/37 for period 4/1/37 to 9/30/37	Opening of 7/21/37 for period 10/1/37 to 3/31/38	Opening of 9/20/37 for period 10/1/37 to 3/31/38	Sears, Roebuck & Co. price for period 10/1/37 to 3/31/38	Opening of 2/7/38 for period 4/1/38 to 9/30/38	Award prices 4/1/38 to 9/30/38	Difference between 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 highest award price	Difference between 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 highest award price	Difference between 10/1/37 to 3/31/38 price and 4/1/38 to 9/30/38 highest award price
Sears, Roebuck & Co	...	...	...	...	\$9.30	\$8.95	\$7.61	\$1.23	\$1.76	\$1.69
The Cooper Corp	\$8.84	...	\$9.93	\$9.93	...	8.00				
Dayton Rubber Mfg	8.84	...	9.93	9.93	...	9.32				
Dunlop Tire	8.84	...	...	...	...	...
Falls Rubber Corp	8.84	...	9.93	9.93	...	7.54				
Firestone Tire	8.84	\$9.37	9.93	9.93	...	7.61				
Fisk Rubber Corp	8.84	9.37	9.93	9.93	...	8.51				
General Tire	8.84	9.37	9.93	9.93	...	9.50				
B. F. Goodrich Co	8.84	9.37	9.93	9.93	...	9.28				
Goodyear Tire	8.84	9.37	9.93	9.93	...	10.39				
Hicks Rubber Co	...	...	...	...	...	9.01				
Kelly-Springfield	8.84	9.37	9.93	9.93	...	9.17				
Lee Tire & Rubber	8.84	9.37	9.93	9.93	...	8.89				
Mohawk	...	...	9.93	9.93	...	9.48				
Norwalk Tire	8.84	...	9.93	9.93	...	10.48				
Pennsylvania	8.84	9.37	9.93	9.93	...	8.74				
F. G. Schenuit.	8.84	...	...	...	...	10.57				
Seiberling Rubber	8.84	9.37	9.93	9.93	...	7.67				
U. S. Rubber Prod	8.84	...	9.93	9.93	...	8.91				
U. S. Tire Dealers	...	9.37	...	...	...	...

SIZE: 6.00 BY 19 (PASSENGER, 6 PLY)

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roebuck & Co. price for period 10/1/37 to 3/31/38	Column 6 Opening of 2/7/38 for period 4/2/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference be- tween 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 award price	Column 9 Difference be- tween 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price	Column 10 Difference be- tween 10/1/37 to 3/31/38 price and 4/1/38 to 9/30/38 award price
Sears, Roebuck & Co	....	....	....	....	\$9.51	\$9.10	\$7.96	\$1.17	\$1.72	\$1.55
The Cooper Corp	\$9.13	....	\$10.26	\$10.26	....	8.50	....	....	....	....
Dayton Rubber Mfg	9.13	....	10.26	10.26	....	9.09	....	....	....	....
Dunlop Tire	9.13	....	....	....	....	....	....	....	....	....
Falls Rubber Corp	9.13	....	10.26	10.26	....	8.02	....	....	....	....
Firestone Tire	9.13	\$9.68	10.26	10.26	....	7.96	....	....	....	....
Fisk Rubber Corp	9.13	9.68	10.26	10.26	....	8.70	....	....	....	....
General Tire	9.13	9.68	10.26	10.26	....	9.76	....	....	....	....
B. F. Goodrich Co	9.13	9.68	10.26	10.26	....	9.82	....	....	....	....
Goodyear Tire	9.13	9.68	10.26	10.26	....	11.56	....	....	....	....
Hicks Rubber Co	....	....	....	....	....	9.30	....	....	....	....
Kelly-Springfield	9.13	9.68	10.26	10.26	....	9.42	....	....	....	....
Lee Tire & Rubber	9.13	9.68	10.26	10.26	....	9.24	....	....	....	....
Mohawk	....	....	10.26	10.26	....	9.74	....	....	....	....
Norwalk Tire	9.13	....	10.26	10.26	....	10.77	....	....	....	....
Pennsylvania	9.13	9.68	10.26	10.26	....	8.94	....	....	....	....
F. G. Schenuit	9.13	....	....	....	....	11.54	....	....	....	....
Seiberling Rubber	9.13	9.68	10.26	10.26	....	7.96	....	....	....	....
U. S. Rubber Prod	9.13	....	10.26	10.26	....	9.15	....	....	....	....
U. S. Tire Dealers	....	9.68	....	....	....	....	....	....	....	....

Column 11
Number of tires pur-
chased during period
10/1/36 to 3/31/37
45

Column 12
Number of tires purchased
during period 4/1/37 to
9/30/37
58

Damages sustained
on such purchases
(45X\$1.17)
\$52.65

Damages sustained
on such purchases
(58X\$1.72)
\$99.76

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EXHIBIT A (P. 28)

SIZE: 6.00 BY .20 (PASSENGER, 6 PLY)

Company	Column 1 Opening of 8/17/36 for period to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period. 10/1/37 to 3/31/38	Column 4 Opening of 9/24/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roe- buck & Co. price for period 10/1/37 to 3/31/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference be- tween 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 award price	Column 9 Difference be- tween 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price	Column 10 Difference be- tween 10/1/37 to 3/31/38 price and 4/1/38 to 9/30/38 award price
Sears, Roebuck & Co	....	....	....	....	\$9.75	\$9.58	\$8.11	\$1.21	\$1.77	\$1.64
The Cooper Corp	\$9.32	....	\$10.47	\$10.47	....	8.89		Column 11	Column 12	
Dayton Rubber Mfg	9.32	....	10.47	10.47	....	9.80		Number of tires pur- chased during period 10/1/36 to 3/31/37	Number of tires purchased during period 4/1/37 to 9/20/37	
Dunlop Tire	9.32	....	....	....	....	....
Falls Rubber Corp.	9.32	....	....	....	....	....				371
Firestone Tire	9.32	\$9.88	10.47	10.47	....	8.11				
Fisk Rubber Corp	9.32	9.88	10.47	10.47	....	9.15				
General Tire	9.32	9.88	10.47	10.47	....	9.93				Damages sustained
B. F. Goodrich Co	9.32	9.88	10.47	10.47	....	10.27				on such purchases
Goodyear Tire	9.32	9.88	10.47	10.47	....	11.75	(264X\$1.21)		(371X\$1.77)	
Hicks Rubber Co	....	....	....	....	....	9.68	\$319.44			\$656.67
Kelly-Springfield	9.32	9.88	10.47	10.47	....	9.70				
Lee Tire & Rubber	9.32	9.88	10.47	10.47	....	9.55				
Mohawk	....	....	10.47	10.47	....	9.91				
Norwalk Tire	9.32	....	10.47	10.47	....	10.95				
Pennsylvania	9.32	9.88	10.47	10.47	....	9.17				
F. G. Schenuit	9.32	....	....	....	....	11.74				
Seiberling Rubber	9.32	9.88	10.47	10.47	....	8.23				
U. S. Rubber Prod	9.32	....	10.47	10.47	....	9.30				
U. S. Tire Dealers	....	9.88	....	....	....	....

EXHIBIT A (P. 29)

SIZE: 6.00 BY 21 (PASSENGER, 6 PLY)

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roebuck & Co. price for period 10/1/37 to 3/31/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference between 10/1/36 to 5/31/37 award price and 4/1/38 to 9/30/38 award price	Column 9 Difference between 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price	Column 10 Difference between 10/1/37 to 3/31/38 price and 4/1/38 to 9/30/38 award price
Sears, Roebuck & Co	9.53	10.10	10.71	10.71	10.10	9.81	8.50	1.03	1.60	1.60
The Cooper Corp	9.53	10.10	10.71	10.71	10.10	8.45				
Dayton Rubber Mfg	9.53	10.10	10.71	10.71	10.10	10.00				
Dunlop Tire	9.53	10.10	10.71	10.71	10.10	10.00				
Falls Rubber Corp	9.53	10.10	10.71	10.71	10.10	8.70				
Firestone Tire	9.53	10.10	10.71	10.71	10.10	10.00				
Fisk Rubber Corp	9.53	10.10	10.71	10.71	10.10	10.00				
General Tire	9.53	10.10	10.71	10.71	10.10	10.00				
B. F. Goodrich Co	9.53	10.10	10.71	10.71	10.10	10.00				
Goodyear Tire	9.53	10.10	10.71	10.71	10.10	10.00				
Hicks Rubber Co	9.53	10.10	10.71	10.71	10.10	10.00				
Kelly-Springfield	9.53	10.10	10.71	10.71	10.10	10.00				
Lee Tire & Rubber	9.53	10.10	10.71	10.71	10.10	10.00				
Mohawk	9.53	10.10	10.71	10.71	10.10	10.00				
Norwalk Tire	9.53	10.10	10.71	10.71	10.10	10.00				
Pennsylvania	9.53	10.10	10.71	10.71	10.10	10.00				
F. G. Schenuit	9.53	10.10	10.71	10.71	10.10	10.00				
Seiberling Rubber	9.53	10.10	10.71	10.71	10.10	10.00				
U. S. Rubber Prod	9.53	10.10	10.71	10.71	10.10	10.00				
U. S. Tire Dealers	9.53	10.10	10.71	10.71	10.10	10.00				

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EXHIBIT A (P. 30)

SIZE: 6.25 BY 16 (PASSENGER, 4 PLY)

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 5 Sear, Roebuck & Co. price for period 10/1/37 to 3/31/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference between 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 highest award price	Column 9 Difference between 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 highest award price	Column 10 Difference between 10/1/37 to 3/31/38 price and 4/1/38 to 9/30/38 highest award price
Sear, Roebuck & Co	...	...	...	...	\$7.60	\$6.90	\$6.12	\$1.99	\$2.48	\$1.48
The Cooper Corp	...	...	...	...	...	...	...	...	...	...
Dayton Rubber Mfg	\$8.11	...	\$9.12	\$9.12	...	8.58	...	...	...	...
Dunlop Tire	8.11	...	...	...	...	...	...	...	...	...
Falls Rubber Corp	...	...	9.12	9.12	...	...	...	...	...	...
Firestone Tire	8.11	\$8.60	9.12	9.12	...	...	...	...	...	...
Fisk Rubber Corp	...	...	...	...	...	...	...	...	...	...
General Tire	8.11	8.60	9.12	9.12	...	6.23	...	...	...	...
B. F. Goodrich Co	8.11	8.60	9.12	9.12	...	8.46	...	...	...	...
Goodyear Tire	8.11	8.60	9.12	9.12	...	7.04	...	...	...	...
Hicks Rubber Co	...	...	...	...	...	6.18	...	...	...	...
Kelly-Springfield	8.11	8.60	9.12	9.12	...	7.94	...	...	...	...
Lee Tire & Rubber	8.11	8.60	9.12	9.12	...	...	...	...	...	...
Mohawk	...	...	...	...	...	...	...	...	...	...
Norwalk Tire	8.11	...	9.12	9.12	...	8.40	...	...	...	...
Pennsylvania	8.11	8.60	9.12	9.12	...	...	...	...	...	...
F. G. Schenuit	...	...	...	...	...	...	...	...	...	...
Seiberling Rubber	8.11	8.60	9.12	9.12	...	...	...	...	...	...
U. S. Rubber Prod	8.11	...	9.12	9.12	...	6.12	...	...	...	...
U. S. Tire Dealers	...	8.60	...	...	...	6.25	...	...	...	...

Column 11
Number of tires purchased during period 10/1/36 to 3/31/37
30

100

Column 12
Number of tires purchased during period 4/1/37 to 9/30/37
100

Damages sustained on such purchases (30X\$1.99)
\$59.70

Damages sustained on such purchases (100X\$2.48)
\$248.00

SIZE: 6.25 BY 16 (PASSENGER, 6 PLY)

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roebuck & Co. price for period 10/1/37 to 3/31/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference between 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 award price	Column 9 Difference between 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price	Column 10 Difference between 10/1/37 to 3/31/38 price and 4/1/38 to 9/30/38 award price
Sears, Roebuck & Co.	.....	.....	.....	.....	\$9.13	\$8.15	\$7.36	\$2.23	\$2.81	\$1.77
The Cooper Corp	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Dayton Rubber Mfg	\$9.59	.....	\$10.78	\$10.78	.....	10.18	.....	.....	.....	.....
Dunlop Tire	9.59	.....	.....	.....	.....	.....	.....	.....	.....	.....
Falls Rubber Corp	.....	.....	10.78	10.78	.....	.....	.....	.....	.....	.....
Firestone Tire	9.59	\$10.17	10.78	10.78	.....	.....	.....	.....	.....	.....
Fisk Rubber Corp	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
General Tire	9.59	10.17	10.78	10.78	.....	7.57	.....	.....	.....	.....
B. F. Goodrich Co	9.59	10.17	10.78	10.78	.....	9.96	.....	.....	.....	.....
Goodyear Tire	9.59	10.17	10.78	10.78	.....	8.28	.....	.....	.....	.....
Hicks Rubber Co	.....	.....	.....	.....	.....	8.07	.....	.....	.....	.....
Kelly-Springfield	9.59	10.17	10.78	10.78	.....	9.05	.....	.....	.....	.....
Lee Tire & Rubber	9.59	10.17	10.78	10.78	.....	.....	.....	.....	.....	.....
Mohawk	.....	.....	.....	.....	.....	9.89	.....	.....	.....	.....
Norwalk Tire	9.59	.....	.....	.....	.....	.....	.....	.....	.....	.....
Pennsylvania	9.59	10.17	10.78	10.78	.....	.....	.....	.....	.....	.....
F. G. Schenuit	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Seiberling Rubber	9.59	10.17	10.78	10.78	.....	7.36	.....	.....	.....	.....
U. S. Rubber Prod	9.59	.....	10.78	10.78	.....	8.15	.....	.....	.....	.....
U. S. Tire Dealers	.....	10.17	.....	.....	.....	.....	.....	.....	.....	.....

49

Column 12

Number of tires purchased during period 4/1/37 to 9/30/37

1,098

Column 11

Number of tires purchased during period 10/1/36 to 3/31/37

626

Damages sustained on such purchases (1,098X\$2.81) \$3,085.38

Damages sustained on such purchases (626X\$2.23) \$1,395.98

145

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EXHIBIT A (P. 32)

SIZE: 6.50 BY 16 (PASSENGER, 4 PLY)

Company	Column 1 Opening of 8/1/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roebuck & Co. price for period 10/1/37 to 3/31/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference between 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 highest award price	Column 9 Difference between 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 highest award price	Column 10 Difference between 10/1/37 to 3/31/38 price and 4/1/38 to 9/30/38 highest award price
Sears, Roebuck & Co.	....	....	....	....	\$8.38	\$7.62	\$6.44	\$2.57	\$3.11	\$1.94
The Cooper Corp	....	....	....	....	....	7.42	....	....	....	....
Dayton Rubber Mfg	\$9.01	....	\$10.12	\$10.12	....	9.53	....	....	....	....
Dunlop Tire	9.01	....	....	....	....	....	....	....	....	....
Falls Rubber Corp	....	....	10.12	10.12	....	7.42	....	....	....	....
Firestone Tire	9.01	\$9.55	10.12	10.12	....	6.44	....	....	....	....
Fisk Rubber Corp	....	....	....	....	....	6.68	....	....	....	....
General Tire	9.01	9.55	10.12	10.12	....	9.35	....	....	....	....
B. F. Goodrich Co	9.01	9.55	10.12	10.12	....	7.76	....	....	....	....
Goodyear Tire	9.01	9.55	10.12	10.12	....	6.67	....	....	....	....
Hicks Rubber Co	....	....	....	....	....	8.56	....	....	....	....
Kelly-Springfield	9.01	9.55	10.12	10.12	....	10.19	....	....	....	....
Lee Tire & Rubber	9.01	9.55	10.12	10.12	....	7.27	....	....	....	....
Mohawk	....	....	10.12	10.12	....	9.26	....	....	....	....
Norwalk Tire	9.01	....	10.12	10.12	....	10.29	....	....	....	....
Pennsylvania	9.01	9.55	10.12	10.12	....	7.88	....	....	....	....
F. G. Schenuit	9.01	....	....	....	....	11.06	....	....	....	....
Seiberling Rubber	9.01	9.55	10.12	10.12	....	6.38	....	....	....	....
U. S. Rubber Prod	9.01	....	10.12	10.12	....	6.90	....	....	....	....
U. S. Tire Dealers	....	9.55	....	....	....	....	....	....	....	....
								Number of tires purchased during period 10/1/36 to 3/31/37	Number of tires purchased during period 4/1/37 to 9/30/37	
								43	88	
								Damages sustained on such purchases (43X\$2.57)	Damages sustained on such purchases (88X\$3.11)	
								\$110.51	\$273.68	

EXHIBIT A (P. 33)

SIZE: 6.50 BY 16 (PASSENGER, 6 PLY)

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roebuck & Co. price for period 10/1/37 to 3/31/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference be- tween 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 award price	Column 9 Difference be- tween 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price	Column 10 Difference be- tween 10/1/37 to 3/31/38 price and 4/1/38 to 9/30/38 award price
Sears, Roebuck & Co.	....	....	....	....	\$9.48	\$8.44	\$7.64	\$2.26	\$2.85	\$1.84
The Cooper Corp	....	....	....	....	....	8.60	Column 11			
Dayton Rubber Mfg	\$9.90	....	\$11.12	\$11.12	....	10.51	Column 12			
Dunlop Tire	9.90	....	....	....	....	....	Number of tires pur- chased during period 10/1/36 to 3/31/37			
Falls Rubber Corp	....	....	11.12	11.12	....	8.60	685			
Firestone Tire	9.90	\$10.49	11.12	11.12	....	7.64	909			
Fisk Rubber Corp	....	....	....	....	....	8.74	Damages sustained			
General Tire	9.90	10.49	11.12	11.12	....	10.28	on such purchases			
B. F. Goodrich Co	9.90	10.49	11.12	11.12	....	8.48	Damages sustained			
Goodyear Tire	9.90	10.49	11.12	11.12	....	8.45	on such purchases			
Hicks Rubber Co	....	....	....	....	....	9.83	(685X\$2.26)			
Kelly-Springfield	9.90	10.49	11.12	11.12	....	11.20	\$1,548.10			
Lee Tire & Rubber	9.90	10.49	11.12	11.12	....	8.76	Damages sustained			
Mohawk	....	....	11.12	11.12	....	10.22	on such purchases			
Norwalk Tire	9.90	....	11.12	11.12	....	11.33	(685X\$2.85)			
Pennsylvania	9.90	10.49	11.12	11.12	....	8.91	\$2,590.65			
F. G. Schenuit	9.90	....	....	....	....	12.16				
Seiberling Rubber	9.90	10.49	11.12	11.12	....	7.73				
U. S. Rubber Prod	9.90	....	11.12	11.12	....	8.10				
U. S. Tire Dealers	....	10.49	....	....	....	....

EXHIBIT A (P. 35)

SIZE: 6.50 BY 19 (PASSENGER, 6 PLY)

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roebuck & Co. price for period 10/1/37 to 3/31/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference between 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 award price	Column 9 Difference between 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price	Column 10 Difference between 10/1/37 to 3/31/38 price and 4/1/38 to 9/30/38 award price
Sears, Roebuck & Co	\$10.52	.....	.....	.....	\$10.63	\$9.97	\$8.92	\$1.60	\$2.23	\$1.71
The Cooper Corp	10.52	.....	\$11.82	\$11.82	.....	9.61	Column 11 Number of tires purchased during period 9/1/36 to 3/31/37 34			
Dayton Rubber Mfg	10.52	.....	11.82	11.82	.....	11.16	Column 12 Number of tires purchased during period 4/1/37 to 9/30/37 34			
Dunlop Tire	10.52	.....	.....	.....	.....	.....	Damages sustained on such purchases, on such purchases (34X\$1.60) \$54.40			
Falls Rubber Corp	10.52	.....	11.82	11.82	.....	9.03	Damages sustained on such purchases, on such purchases (34X\$2.23) \$75.82			
Firestone Tire	10.52	\$11.15	11.82	11.82	.....	9.57				
Fisk Rubber Corp	10.52	11.15	11.82	11.82	.....	9.70				
General Tire	10.52	11.15	11.82	11.82	.....	11.54				
B. F. Goodrich Co	10.52	11.15	11.82	11.82	.....	11.93				
Goodyear Tire	10.52	11.15	11.82	11.82	.....	13.65				
Hicks Rubber Co	.....	.....	.....	.....	.....	10.93				
Kelly-Springfield	10.52	11.15	11.82	11.82	.....	11.18				
Lee Tire & Rubber	10.52	11.15	11.82	11.82	.....	10.35				
Mohawk	.....	.....	11.82	11.82	.....	11.49				
Norwalk Tire	10.52	.....	11.82	11.82	.....	12.72				
Pennsylvania	10.52	11.15	11.82	11.82	.....	9.99				
F. G. Schenuit	10.52	.....	.....	.....	.....	13.64				
Seiberling Rubber	10.52	11.15	11.82	11.82	8.92				
U. S. Rubber Prod	10.52	11.82	11.82	10.80				
U. S. Tire Dealers	11.15				

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EXHIBIT A (P. 36)

SIZE: 6.50 BY 20 (PASSENGER, 6 PLY)

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roebuck & Co. price for period 10/1/37 to 3/31/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference be- tween 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 highest award price	Column 9 Difference be- tween 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 highest award price	Column 10 Difference be- tween 10/1/37 to 3/31/38 price and 4/1/38 to 9/30/38 highest award price
Sears, Roebuck & Co	....	....	....	....	\$11.00	\$10.42	\$9.70	\$0.95	\$1.59	\$1.30
The Cooper Corp	\$10.65	....	\$11.97	\$11.97	....	10.00	Column 11 Number of tires pur- chased during period 10/1/36 to 3/31/37			
Dayton Rubber Mfg	10.65	....	11.97	11.97	....	11.29	Column 12 Number of tires purchased during period 4/1/37 to 9/30/37			
Dunlop Tire	10.65	....	....	....	....	....	197			
Falls Rubber Corp	10.65	....	....	....	....	....	100			
Firestone Tire	10.65	\$11.29	11.97	11.97	....	-9.90	Damages sustained on such purchases (100X\$0.95)			
Fisk Rubber Corp	10.65	11.29	11.97	11.97	....	10.11	Damages sustained on such purchases (197X\$1.59)			
General Tire	10.65	11.29	11.97	11.97	....	11.66	\$95.00			
B. F. Goodrich Co	10.65	11.29	11.97	11.97	....	12.04				
Goodyear Tire	10.65	11.29	11.97	11.97	....	13.78				
Hicks Rubber Co	....	....	....	....	....	11.24				
Kelly-Springfield	10.65	11.29	11.97	11.97	....	11.80				
Lee Tire & Rubber	10.65	11.29	11.97	11.97	....	10.67				
Mohawk	....	....	11.97	11.97	....	11.61				
Norwalk Tire	10.65	....	11.97	11.97	....	12.84				
Pennsylvania	10.65	11.29	11.97	11.97	....	10.34				
F. G. Schenuit	10.65	....	....	....	....	13.77				
Seiberling Rubber	10.65	11.29	11.97	11.97	....	9.70				
U. S. Rubber Prod	10.65	....	11.97	11.97	....	10.92				
U. S. Tire Dealers	....	11.29	....	....	....	....

SIZE: 7.00 BY 15 (PASSENGER, 4 PLY)

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roebuck & Co. price for period 10/1/37 to 3/31/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference be- tween 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 award price	Column 9 Difference be- tween 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price	Column 10 Difference be- tween 10/1/37 to 3/31/38 price and 4/1/38 to 9/30/38 award price
Sears, Roebuck & Co	\$9.08	\$8.07	\$7.12	\$2.33	\$2.90	\$1.96
The Cooper Corp	9.20	Column 12 Number of tires purchased during period 4/1/37 to 9/30/37			
Dayton Rubber Mfg	\$9.45	\$10.62	\$10.62	10.05	Column 11 Number of tires pur- chased during period 10/1/36 to 3/31/37			
Dunkop Tire	13			
Falls Rubber Corp	9.20	Damages sustained on such purchases (13X\$2.90) \$37.70			
Firestone Tire	9.45	\$10.02	10.62	10.62	....	8.00			
Fisk Rubber Corp	....	....	....	....	....	7.49
General Tire	9.45	....	....	....	....	....
B. F. Goodrich Co	9.45	10.02	10.62	10.62	....	8.63			
Goodyear Tire	9.45	10.02	10.62	10.62	....	11.47			
Hicks Rubber Co	....	....	....	....	....	9.98
Kelly-Springfield	9.45	10.02	10.62	10.62	....	10.54			
Lee Tire & Rubber	9.45	10.02	10.62	10.62	....	8.45			
Mghawk	....	....	10.62	10.62	....	9.77	
Norwalk Tire	9.45	....	10.62	10.62	....	10.81		
Pennsylvania	9.45	10.02	10.62	10.62	....	8.54			
F. G. Schenuit	....	....	....	....	....	....
Seiberling Rubber	9.45	10.02	10.62	10.62	....	7.12			
U. S. Rubber Prod	9.45	....	10.62	10.62	....	8.16		
U. S. Tire Dealers	....	10.02	....	....	....	....

163

164

165

EXHIBIT A (P. 39)

SIZE: 7.00 BY 16 (PASSENGER, 4 PLY)

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roebuck & Co. price for period 10/1/37 to 3/31/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference between 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 award price	Column 9 Difference between 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price	Column 10 Difference between 10/1/37 to 3/31/38 price and 4/1/38 to 9/30/38 award price
Sears, Roebuck & Co	....	....	....	....	\$9.43	\$8.12	\$7.28	\$2.46	\$3.04	\$2.15
The Cooper Corp	....	....	....	....	....	7.95	....	....	....	....
Dayton Rubber Mfg	\$9.74	....	\$10.94	\$10.94	....	10.38	....	....	....	....
Dunlop Tire	9.74	....	....	....	....	....	....	....	....	....
Falls Rubber Corp	....	....	10.94	10.94	....	8.46	....	....	....	....
Firestone Tire	9.74	\$10.32	10.94	10.94	....	8.41	....	....	....	....
Fisk Rubber Corp	....	....	....	....	....	7.73	....	....	....	....
General Tire	9.74	10.32	10.94	10.94	....	10.09	....	....	....	....
B. F. Goodrich Co	9.74	10.32	10.94	10.94	....	8.98	....	....	....	....
Goodyear Tire	9.74	10.32	10.94	10.94	....	8.78	....	....	....	....
Hicks Rubber Co.	....	....	....	....	....	10.51	....	....	....	....
Kelly-Springfield	9.74	10.32	10.94	10.94	....	11.08	....	....	....	....
Lee Tire & Rubber	9.74	10.32	10.94	10.94	....	8.81	....	....	....	....
Mohawk	....	....	10.94	10.94	....	10.05	....	....	....	....
Norwalk Tire	9.74	....	10.94	10.94	....	11.13	....	....	....	....
Pennsylvania	9.74	10.32	10.94	10.94	....	8.86	....	....	....	....
F. G. Schenuit	....	....	....	....	....	1.00	....	....	....	....
Seiberling Rubber	9.74	10.32	10.94	10.94	....	7.28	....	....	....	....
U. S. Rubber Prod	9.74	....	10.94	10.94	....	8.84	....	....	....	....
U. S. Tire Dealers	....	10.32	....	....	....	....	....	....	....	....

Column 11

Number of tires purchased during period 10/1/36 to 3/31/37

1

73

Damages sustained on such purchases (1X\$2.46)

\$2.46

Damages sustained on such purchases (73X\$3.04)

\$221.92

169

170

171

57

172

173

174

EXHIBIT A (P. 40)

SIZE: 7.00 BY 16 (PASSENGER, 6 PLY)

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roebuck & Co. prices for period 10/1/37 to 3/31/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference be- tween 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 highest award price	Column 9 Difference be- tween 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 highest award price	Column 10 Difference be- tween 10/1/37 to 3/31/38 price and 4/1/38 to 9/30/38 highest award price
Sears, Roebuck & Co.	.....	.....	.....	.....	\$10.98	\$10.05	\$8.66	\$2.79	\$3.48	\$2.32
The Cooper Corp	.....	.....	.....	.....	.....	9.15	.....	.....	.....	.....
Dayton Rubber Mfg	\$11.45	.....	\$12.87	\$12.87	.....	12.27	.....	.....	.....	.....
Dunlop Tire	11.45	.....	.....	.....	.....	.....	.....	.....	.....	.....
Falls Rubber Corp	.....	.....	12.87	12.87	.....	9.76	.....	.....	.....	.....
Firestone Tire	11.45	\$12.14	12.87	12.87	.....	9.62	.....	.....	.....	161
Fisk Rubber Corp	.....	.....	.....	.....	.....	10.07	.....	.....	.....	.....
General Tire	11.45	12.14	12.87	12.87	.....	11.86	.....	.....	.....	.....
B. F. Goodrich Co	11.45	12.14	12.87	12.87	.....	10.56	.....	.....	.....	.....
Goodyear Tire	11.45	12.14	12.87	12.87	.....	10.24	.....	.....	.....	.....
Hicks Rubber Co	.....	.....	.....	.....	.....	11.88	.....	.....	.....	.....
Kelly-Springfield	11.45	12.14	12.87	12.87	.....	12.89	.....	.....	.....	.....
Lee Tire & Rubber	11.45	12.14	12.87	12.87	.....	10.17	.....	.....	.....	.....
Mohawk	.....	.....	12.87	12.87	.....	11.83	.....	.....	.....	.....
Norwalk Tire	11.45	.....	12.87	12.87	.....	13.09	.....	.....	.....	.....
Pennsylvania	11.45	12.14	12.87	12.87	.....	10.32	.....	.....	.....	.....
F. G. Schenuit	.....	.....	.....	.....	.....	14.04	.....	.....	.....	.....
Seiberling Rubber	11.45	12.14	12.87	12.87	.....	8.66	.....	.....	.....	.....
U. S. Rubber Prod	11.45	.....	12.87	12.87	.....	10.37	.....	.....	.....	.....
U. S. Tire Dealers	.....	12.14	.....	.....	.....	.....	.....	.....	.....	.....
								Number of tires pur- chased during period 10/1/36 to 3/31/37	Number of tires purchased during period 4/1/37 to 9/30/37	Damages sustained on such purchases (161X\$3.48) \$560.28
								198	161	
								Damages sustained on such purchases (198X\$2.79) \$552.42		

EXHIBIT A (P. 41)

SIZE: 7.00 BY 17 (PASSENGER, 6 PLY) (AW)

59

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roebuck & Co. price for period 10/1/37 to 3/31/38	Column 6 Opening of 2/17/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference between 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 award price	Column 9 Difference between 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price	Column 10 Difference between 10/1/37 to 3/31/38 price and 4/1/38 to 9/30/38 award price
Sears, Roebuck & Co.	....	....	....	....	\$11.43	\$10.31	\$8.56	\$1.69	\$2.38	\$1.57
The Cooper Corp	....	....	....	....	....	9.73 (Zone 3)	9.86	....	....	....
Dayton Rubber Mfg	\$11.55	....	\$12.97	\$12.97	....	12.39	9.86	....	....	....
Dunlop Tire	11.55	....	....	....	....	....	(All others)	....	....	....
Falls Rubber Corp	....	....	12.97	12.97	....	8.56	....	....	....	....
Firestone Tire	11.55	\$12.24	12.97	12.97	....	10.61	....	....	....	....
Fisk Rubber Corp	11.55	12.24	12.97	12.97	....	10.07	....	....	....	....
General Tire	11.55	12.24	12.97	12.97	....	12.01	....	....	....	....
B. F. Goodrich Co	11.55	12.24	12.97	12.97	....	11.35	....	....	....	....
Goodyear Tire	11.55	12.24	12.97	12.97	....	13.25	....	....	....	....
Hicks Rubber Co	....	....	....	....	....	11.80	....	....	....	....
Kelly-Springfield	11.55	12.24	12.97	12.97	....	11.58	....	....	....	....
Lee Tire & Rubber	11.55	12.24	12.97	12.97	....	11.29	....	....	....	....
Mohawk	....	....	12.97	12.97	....	11.97	....	....	....	....
Norwalk Tire	11.55	....	12.97	12.97	....	13.21	....	....	....	....
Pennsylvania	11.55	12.24	12.97	12.97	....	10.74	....	....	....	....
F. G. Schenuit	11.55	....	....	....	....	14.15	....	....	....	....
Seiberling Rubber	11.55	12.24	12.97	12.97	....	9.86	....	....	....	....
U. S. Rubber Prod	11.55	....	12.97	12.97	....	10.00	....	....	....	....
U. S. Tire Dealers	....	12.24	....	....	....	....	....	....	....	....

Column 11
Number of tires purchased during period 10/1/36 to 3/31/37

Column 12
Number of tires purchased during period 4/1/37 to 9/30/37

10

Damages sustained on such purchases (4X\$1.69) \$6.76

Damages sustained on such purchases (10X\$2.38) \$23.80

175

176

177

EXHIBIT A (P. 42)

SIZE: 7.00 BY 18 (PASSENGER, 6 PLY)

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roebuck & Co. price for period 10/1/37 to 3/31/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference be- tween 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 highest award price	Column 9 Difference be- tween 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 highest award price	Column 10 Difference be- tween 10/1/37 to 3/31/38 price and 4/1/38 to 9/30/38 highest award price
Sears, Roebuck & Co	....	....	....	....	\$12.13	\$10.87	\$9.11	\$3.61	\$2.32	\$1.89
The Cooper Corp	\$11.85	....	\$13.31	\$13.31	....	10.07 (Zone 3)	....	....	....	....
Dayton Rubber Mfg	11.85	....	13.31	13.31	....	12.70	10.07	....	....	....
Dunlop Tire	11.85	....	....	....	....	....	(Zone 5)	....	....	....
Falls Rubber Corp	11.85	....	13.31	13.31	....	9.11	10.24	....	....	....
Firestone Tire	11.85	\$12.56	13.31	13.31	....	11.22 (All others)	....	....	....	....
Fisk Rubber Corp	11.85	12.56	13.31	13.31	....	10.49	....	....	....	....
General Tire	11.85	12.56	13.31	13.31	....	12.27	....	....	....	....
B. F. Goodrich Co	11.85	12.56	13.31	13.31	....	11.99	....	....	....	....
Goodyear Tire	11.85	12.56	13.31	13.31	....	14.52	....	....	....	....
Hicks Rubber Co	....	....	....	....	....	12.40	....	....	....	....
Kelly-Springfield	11.85	12.56	13.31	13.31	....	11.73	....	....	....	....
Lee Tire & Rubber	11.85	12.56	13.31	13.31	....	11.94	....	....	....	....
Mohawk	....	....	13.31	13.31	....	12.26	....	....	....	....
Norwalk Tire	11.85	....	13.31	13.31	....	13.54	....	....	....	....
Pennsylvania	11.85	12.56	13.31	13.31	....	11.40	....	....	....	....
F. G. Schenuit	11.85	....	....	....	....	14.50	....	....	....	....
Seiberling Rubber	11.85	12.56	13.31	13.31	....	16.56	....	....	....	....
U. S. Rubber Prod	11.85	....	13.31	13.31	....	10.24	....	....	....	....
U. S. Tire Dealers	....	12.56	....	....	....	....	....	....	....	....
<div>Column 11</div> <div>Number of tires purchased during period 10/1/36 to 3/31/37</div> <div>Column 12</div> <div>Number of tires purchased during period 4/1/37 to 9/30/37</div> <div>4</div> <div>Damages sustained on such purchases</div> <div>Damages sustained on such purchases</div> <div>(4X\$2.32)</div> <div>\$9.28</div>										

EXHIBIT A (P. 43)

SIZE: 7.00 BY 20 (PASSENGER, 6 PLY)

61

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roebuck & Co. price for period 10/1/37 to 3/31/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference between 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 award price	Column 9 Difference between 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price	Column 10 Difference between 10/1/37 to 3/31/38 price and 4/1/38 to 9/30/38 award price
Sears, Roebuck & Co	....	....	....	....	\$12.69	\$11.83	\$11.08	\$1.35	\$2.10	\$1.46
The Cooper Corp	\$12.58	....	\$14.13	\$14.13	....	11.09 (Zones 1-5)	....	....	....	....
Dayton Rubber Mfg	12.58	....	14.39	14.39	....	13.47	11.23	....	....	....
Dunlop Tire	....	....	....	....	....	....	(All others)	....	....	....
Falls Rubber Corp	12.58	....	....	....	....	....	....	....	....	....
Firestone Tire	12.58	\$13.33	14.13	14.13	....	12.06	....	....	....	....
Fisk Rubber Corp	12.58	13.33	14.13	14.13	....	11.08	....	....	....	....
General Tire	12.58	13.33	14.13	14.13	....	13.09	....	....	....	....
B. F. Goodrich Co	12.58	13.33	14.13	14.13	....	13.54	....	17	....	37
Goodyear Tire	12.58	13.33	14.13	14.13	....	15.49	....	....	....	....
Hicks Rubber Co	....	....	....	....	....	13.52	....	....	....	....
Kelly-Springfield	12.58	13.33	14.13	14.13	....	12.34	....	....	....	....
Lee Tire & Rubber	12.58	13.33	14.13	14.13	....	12.95	....	....	....	....
Mohawk	....	....	14.13	14.13	....	13.07	....	....	....	....
Norwalk Tire	12.58	....	14.13	14.13	....	14.43	....	....	....	....
Pennsylvania	12.58	13.33	14.13	14.13	....	11.93	....	....	....	....
F. G. Schenuit	12.58	....	....	....	....	15.46	....	....	....	....
Seiberling Rubber	12.58	13.33	14.13	14.13	....	11.23	....	....	....	....
U. S. Rubber Prod	12.58	....	14.13	14.13	....	12.30	....	....	....	....
U. S. Tire Dealers	....	13.33	....	....	....	....	....	....	....	....

Column 11
Number of tires purchased during period 10/1/36 to 3/31/37

Column 12
Number of tires purchased during period 4/1/37 to 9/30/37

Column 13
Damages sustained on such purchases

(17X\$1.35)

\$22.95

(37X\$2.10)

\$77.70

181

182

183

EXHIBIT A (P. 44)

SIZE: 7.50 BY 15 (PASSENGER, 4 PLY)

[illegible]

EXHIBIT A (P. 45)

SIZE: 7.50 BY 16 (PASSENGER, 4 PLY)

Company	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10
	Opening of 8/17/36 for period 10/1/36 to 3/31/37	Opening of 1/25/37 for period 4/1/37 to 9/30/37	Opening of 7/21/37 for period 10/1/37 to 3/31/38	Opening of 9/20/37 for period 10/1/37 to 3/31/38	Sears, Roebuck & Co. price for period 10/1/37 to 3/31/38	Opening of 2/7/38 for period 4/1/38 to 9/30/38	Award prices 4/1/38 to 9/30/38	Difference between 10/1/36 award price and 9/30/38 award price	Difference between 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price	Difference between 10/1/37 to 3/31/38 price and 4/1/38 to 9/30/38 award price
Sears, Roebuck & Co	\$12.47	.....	.....	.....	\$12.90	\$10.63	\$9.12	\$3.13	\$3.88	\$3.56
The Cooper Corp	.....	.....	\$14.01	\$14.01	.....	8.75 (Zones 1, 2, & 4)	.....	.....	.....	.....
Dayton Rubber Mfg	.....	.....	.....	.....	.....	13.38	.....	.....	.....	.....
Dunlop Tire	.....	.....	.....	.....	.....	.....	9.34	.....	.....	.....
Falls Rubber Corp	12.47	.....	14.01	14.01	.....	9.34 (Zone 3)	.....	.....	.....	.....
Firestone Tire	12.47	\$13.22	14.01	14.01	.....	10.49	8.75	.....	.....	.....
Fisk Rubber Corp	12.47	13.22	14.01	.....	.....	9.12 (Zone 5)	.....	.....	.....	.....
General Tire	.....	.....	.....	.....	.....	.....	9.14	.....	.....	.....
B. F. Goodrich Co	12.47	13.22	14.01	14.01	.....	12.04 (All others)	.....	.....	.....	.....
Goodyear Tire	12.47	13.22	14.01	14.01	.....	15.03	.....	.....	.....	.....
Hicks Rubber Co	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Kelly-Springfield	12.47	13.22	14.01	14.01	.....	13.84	.....	.....	.....	.....
Lee Tire & Rubber	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Mohawk	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Norwalk Tire	12.47	.....	14.01	14.01	.....	12.76	.....	.....	.....	.....
Pennsylvania	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
F. G. Schenuit	12.47	13.22	14.01	.....	.....	13.55	.....	.....	.....	.....
Seiberling Rubber	12.47	13.22	14.01	14.01	.....	9.14	.....	.....	.....	.....
U. S. Rubber Prod	12.47	.....	14.01	14.01	.....	10.66	.....	.....	.....	.....
U. S. Tire Dealers	.....	13.22	.....	.....	.....	.....	.....	.....	.....	.....

Column 12

Column 11

Number of tires purchased during period 4/1/37 to 9/30/37

Number of tires purchased during period 10/1/36 to 3/31/37

2

Damages sustained on such purchases

(2X\$3.13)

\$6.26

187

188

189

EXHIBIT A (P. 46)

SIZE: 7.50 BY 16 (PASSENGER, 6 PLY)

[illegible]

SIZE: 7.50 BY 17 (PASSENGER, 6 PLY).

SIZE: 7.50 BY 17 (PASSENGER, 6 PLY).

[illegible]

195

196

197

198

EXHIBIT A (P. 48)

SIZE: 7.50 BY 18 (PASSENGER, 6 PLY)

Company	Column 1 Opening of 8/17/36 for period 10/2/36 to 5/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roebuck & Co. price for period 10/1/37 to 3/31/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference be- tween 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 award price	Column 9 Difference be- tween 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price	Column 10 Difference be- tween 10/1/37 to 3/31/38 price and 4/1/38 to 9/30/38 award price
Sears, Roebuck & Co	....	....	....	....	\$16.34	\$13.14	\$11.96	\$4.79	\$5.87	\$3.20
The Cooper Corp	....	....	....	....	....	10.07 (Zones 1-4)	....	....	....	....
Dayton Rubber Mfg	....	....	....	....	....	....	10.07	....	....	....
Dunlop Tire	....	....	....	....	....	....	(Zone 5)	....	....	....
Falls Rubber Corp	....	....	....	....	....	....	....	....	....	....
Firestone Tire	\$17.93	\$19.01	\$20.15	\$20.15	....	12.87	13.14	....	....	....
Fisk Rubber Co p	17.93	19.01	20.15	20.15	....	13.23 (All others)	....	....	....	....
General Tire	17.93	19.01	20.15	20.15	....	11.96	....	....	....	....
B. F. Goodrich Co	17.93	19.01	20.15	20.15	....	18.30	....	....	....	....
Goodyear Tire	17.93	19.01	20.15	20.15	....	21.57	....	....	....	....
Hicks Rubber Co	....	....	....	....	....	....	....	....	....	....
Kelly-Springfield	17.93	19.01	20.15	20.15	....	....	....	....	....	....
Lee Tire & Rubber	17.93	19.01	20.15	20.15	....	14.03	....	....	....	....
Mohawk	....	....	....	....	....	18.10	....	....	....	....
Norwalk Tire	17.93	19.01	20.15	20.15	....	20.10	....	....	....	....
Pennsylvania	....	....	....	....	....	....	....	....	....	....
F. G. Schenuit	....	....	....	....	....	....	....	....	....	....
Seiberling Rubber	....	....	....	....	....	....	....	....	....	....
U. S. Rubber Prod	17.93	....	20.15	20.15	....	17.02	....	....	....	....
U. S. Tire Dealers	....	19.01	....	....	....	....	....	....	....	....

66

Column 12

Number of tires purchased during period 4/1/37 to 9/30/37

Column 11

Number of tires purchased during period 10/1/36 to 3/31/37

10

Damages sustained on such purchases (10X\$5.87)
\$58.70

EXHIBIT A (P. 49)

SIZE: 7.50 BY 19 (PASSENGER, 6 PLY)

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roebuck & Co. price for period 10/1/37 to 3/31/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference between 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 award price	Column 9 Difference between 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price	Column 10 Difference between 10/1/37 to 3/31/38 price and 4/1/38 to 9/30/38 award price
Sears, Roebuck & Co	.....	.....	.....	.....	\$16.96	\$13.63	\$13.40	\$4.95	\$6.06	\$3.33
The Cooper Corp	.....	.....	.....	.....	.....	10.67	(Zone 3)	.....	.....	.....
Dayton Rubber Mfg	.....	.....	.....	.....	.....	.....	10.67	.....	.....	.....
Dunlop Tire	.....	.....	.....	.....	.....	.....	(Zone 5)	.....	.....	.....
Falls Rubber Corp	.....	.....	.....	.....	.....	.....	13.40	.....	.....	.....
Firestone Tire	\$18.58	\$19.69	\$20.87	\$20.87	.....	14.45	(All others)	.....	.....	.....
Fisk Rubber Corp	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
General Tire	18.58	.....	.....	.....	.....	.....	.....	.....	.....	.....
B. F. Goodrich Co	18.58	19.69	20.87	20.87	.....	.....	.....	.....	.....	.....
Goodyear Tire	18.58	19.69	20.87	20.87	.....	22.34	.....	.....	.....	.....
Hicks Rubber Co	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Kelly-Springfield	18.58	19.69	20.87	20.87	.....	.....	.....	.....	.....	.....
Lee Tire & Rubber	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Mohawk	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Norwalk Tire	18.58	.....	20.87	20.87	.....	20.82	.....	.....	.....	.....
Pennsylvania	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
F. G. Schenuit	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Seiberling Rubber	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
U. S. Rubber Prod	18.58	.....	20.87	20.87	.....	17.60	.....	.....	.....	.....
U. S. Tire Dealers	.....	19.69	.....	.....	.....	.....	.....	.....	.....	.....

Column 11
Number of tires purchased during period 10/1/36 to 3/31/37

Column 12
Number of tires purchased during period 4/1/37 to 9/30/37

Damages sustained on such purchases

Damages sustained on such purchases

(S. \$4.95)

\$39.60

199

200

201

EXHIBIT A (P. 50)

SIZE: 30' BY 5' (TRUCK, 8 PLY)

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roebuck & Co. price for period 10/1/37 to 3/31/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference between 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 highest award-price	Column 9 Difference between 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 highest award price	Column 10 Difference between 10/1/37 to 3/31/38 price and 4/1/38 to 9/30/38 highest award price
Sears, Roebuck & Co	.....	.....	.....	.....	\$13.20	\$12.50	\$10.67	\$1.28	\$2.03	\$1.90
The Cooper Corp	\$12.58	....	\$14.13	\$14.13	....	12.81 (Zones 1-5)				
Dayton Rubber Mfg	12.58	....	14.13	14.13	....	....	11.30			
Dunlop Tire	12.58	....	....	....	....	....	(All others)			
Falls Rubber Corp	12.58	....	14.13	14.13	....	13.37		Column 12		
Firestone Tire	12.58 \$13.33	....	14.13	14.13	....	11.30		Number of tires purchased during period 4/1/37 to 9/30/37		
Fisk Rubber Corp	12.58 13.33	....	14.13	14.13	....	10.67				
General Tire	12.58 13.33	....	14.13	14.13	....	13.20				4.925
B. F. Goodrich Co	12.58 13.33	....	14.13	14.13	....	11.93				
Goodyear Tire	12.58 13.33	....	14.13	14.13	....	12.38		Column 11		
Hicks Rubber Co	....	....	....	....	....	14.89		Number of tires purchased during period 10/1/36 to 3/31/37		
Kelly-Springfield	12.58 13.33	....	14.13	14.13	....	14.37		Damages sustained on such purchases		
Lee Tire & Rubber	12.58 13.33	....	14.13	14.13	....	14.02		(5.513X\$1.28)		(4.925X\$2.03)
Mohawk	....	....	14.13	14.13	....	13.24				\$9,997.75
Norwalk Tire	12.58 ....	....	14.13	14.13	....	14.63		Damages sustained on such purchases		
Pennsylvania	12.58 13.33	....	14.13	14.13	....	12.41				
F. G. Schenuit	12.58 ....	....	....	....	....	15.84				
Seiberling Rubber	12.58 13.33	....	14.13	14.13	....	11.31				
U. S. Rubber Prod	12.58 ....	....	14.13	14.13	....	12.08				
U. S. Tire Dealers	... 13.33	....	....	....	....	....

EXHIBIT A (P. 51)

SIZE: 32 BY 6, 5-INCH RIM (TRUCK, 8 PLY)

69

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roebuck & Co. price for period 10/1/37 to 3/31/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference between 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 award price	Column 9 Difference between 4/1/37 to 9/20/37 award price and 4/1/38 to 9/30/38 award price	Column 10 Difference between 10/1/37 to 3/31/38 price and 4/1/38 to 9/30/38 award price
Sears, Roebuck & Co	....	....	....	....	\$16.38	\$14.98	\$12.47	\$3.02	\$4.00	\$3.06
The Cooper Corp	\$16.34	....	\$18.36	\$18.36	....	16.84 (Zones 1-5)	....	....	....	....
Dayton Rubber Mfg	16.34	....	18.36	18.36	....	17.57	\$13.32	....	....	....
Dunlop Tire	16.34	....	....	....	....	....	(All others)	....	....	....
Falls Rubber Corp	16.34	....	18.36	18.36	....	15.94	....	....	....	....
Firestone Tire	16.34	\$17.32	18.36	18.36	....	13.32	....	....	....	....
Fisk Rubber Corp	16.34	17.32	18.36	18.36	....	12.47	....	....	....	....
General Tire	16.34	17.32	18.36	18.36	....	17.28	....	....	....	....
B. F. Goodrich Co	16.34	17.32	18.36	18.36	....	13.84	....	....	....	....
Goodyear Tire	16.34	17.32	18.36	18.36	....	14.45	....	....	....	....
Hicks Rubber Co	....	....	....	....	....	18.36	....	....	....	....
Kelly-Springfield	16.34	17.32	18.36	18.36	....	18.77	....	....	....	....
Lee Tire & Rubber	16.34	17.32	18.36	18.36	....	16.75	....	....	....	....
Mohawk	....	....	18.36	18.36	....	16.33	....	....	....	....
Norwalk Tire	16.34	....	18.36	18.36	....	19.06	....	....	....	....
Pennsylvania	16.34	17.32	18.36	18.36	....	15.40	....	....	....	....
F. G. Schenuit	16.34	17.32	18.36	18.36	....	18.96	....	....	....	....
Seiberling Rubber	16.34	17.32	18.36	18.36	....	14.00	....	....	....	....
U. S. Rubber Prod	16.34	....	18.36	18.36	....	13.40	....	....	....	....
U. S. Tire Dealers	....	17.32	....	....	....	....	....	....	....	....

Column 12

Number of tires purchased during period 4/1/37 to 9/30/37

6,193

Column 11

Number of tires purchased during period 10/1/36 to 3/31/37

10,349

Damages sustained on such purchases

(6,193X\$4.00)

\$24,772.00

(10,349X\$3.02)

\$31,253.98

Damages sustained on such purchases

205

206

207

208

209

210

EXHIBIT A (P. 52)

SIZE: 32 BY 6, 6-INCH RIM (TRUCK, 10 PLY)

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roebuck & Co. price for period 10/1/37 to 3/31/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference be- tween 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 award price	Column 9 Difference be- tween 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price	Column 10 Difference be- tween 10/1/37 to 3/31/38 price and 4/1/38 to 9/30/38 award price
Sears, Roebuck & Co.	....	....	....	....	\$22.98	\$20.20	\$19.50	\$2.92	\$4.27	\$3.48
The Cooper Corp	\$22.42	....	\$25.20	\$25.20	....	22.69	....	....	....	....
Dayton Rubber Mfg	22.42	....	25.20	25.20	....	24.23	....	....	....	....
Dunlop Tire	22.42	....	....	....	....	....	....	....	....	....
Falls Rubber Corp	22.42	....	25.20	25.20	....	21.81	....	....	....	....
Firestone Tire	22.42	\$23.77	25.20	25.20	....	20.40	2,302	....	....	1,833
Fisk Rubber Corp	22.42	23.77	25.20	25.20	....	19.30	....	....	....	....
General Tire	22.42	23.77	25.20	25.20	....	22.55	....	....	....	....
B. F. Goodrich Co	22.42	23.77	25.20	25.20	....	20.21	....	....	....	....
Goodyear Tire	22.42	23.77	25.20	25.20	....	21.30	....	....	....	....
Hicks Rubber Co	....	....	....	....	....	25.03	....	....	....	....
Kelly-Springfield	22.42	23.77	25.20	25.20	....	24.47	....	....	....	....
Lee Tire & Rubber	22.42	23.77	25.20	25.20	....	22.16	....	....	....	....
Mohawk	....	....	25.20	25.20	....	22.50	....	....	....	....
Norwalk Tire	22.42	....	25.20	25.20	....	24.89	....	....	....	....
Pennsylvania	22.42	23.77	25.20	25.20	....	21.60	....	....	....	....
F. G. Schenuit	22.42	23.77	....	....	....	25.37	....	....	....	....
Seiberling Rubber	22.42	23.77	25.20	25.20	....	19.50	....	....	....	....
U. S. Rubber Prod	22.42	....	25.20	25.20	....	21.09	....	....	....	....
U. S. Tire Dealers	....	23.77	....	....	....	....	....	....	....	....

70

Number of tires pur-
chased during period
10/1/36 to 3/31/37

Number of tires purchased
during period 4/1/37 to
9/30/37

Damages sustained
on such purchases

Damages sustained
on such purchases

(1,833X\$4.27)
\$7,826.91

(2,302X\$2.92)
\$6,721.84

EXHIBIT A (P. 53)

SIZE: 36 BY 6 (TRUCK, 10 PLY)

71

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/28/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roebuck & Co. price for period 10/1/37 to 3/31/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference be- tween 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 award price	Column 9 Difference be- tween 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price	Column 10 Difference be- tween 10/1/37 to 3/31/38 price and 4/1/38 to 9/30/38 award price
Sears, Roebuck & Co	....	....	....	....	\$26.52	\$25.08	\$21.60	\$3.82	\$5.35	\$4.92
The Cooper Corp	\$25.42	....	\$28.57	\$28.57	....	25.65	Column 11	Column 12		
Dayton Rubber Mfg	25.72	....	28.57	28.57	....	27.41	Number of tires pur- chased during period 10/1/36 to 3/31/37	Number of tires purchased during period 4/1/37 to 9/30/37		
Dunlop Tire	25.42	....	....	....	....	....
Falls Rubber Corp	25.42	....	28.57	28.57	....	24.15				28
Firestone Tire	25.42	....	28.57	28.57	....	23.15				
Fisk Rubber Corp	25.42	\$26.95	28.57	28.57	....	21.66				
General Tire	25.42	26.95	28.57	28.57	....	26.10	Damages sustained on such purchases	Damages sustained on such purchases		
B. F. Goodrich Co	25.42	26.95	28.57	28.57	....	26.93			(28X\$5.35)	
Goodyear Tire	25.42	26.95	28.57	28.57	....	28.52			\$149.80	
Hicks Rubber Co	....	....	....	....	....	....
Kelly-Springfield	25.42	26.95	28.57	28.57	....	28.28				
Lee Tire & Rubber	25.42	26.95	28.57	28.57	....	25.19				
Mohawk	....	....	28.57	28.57	....	25.95				
Norwalk Tire	25.42	....	28.57	28.57	....	28.78				
Pennsylvania	25.42	26.95	28.57	28.57	....	24.93				
F. G. Schenutt	25.42	26.95	....	28.57	....	28.66				
Seiberling Rubber	25.42	26.95	28.57	28.57	....	21.60				
U. S. Rubber Prod	25.42	....	28.57	28.57	....	25.75				
U. S. Tire Dealers	....	26.95	....	....	....	....

211

212

213

EXHIBIT A (P. 55)

SIZE: 34 BY 7 (TRUCK, 10 PLY)

73

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roebuck & Co. price for period 10/1/37 to 3/31/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference be- tween 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 award price	Column 9 Difference be- tween 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price	Column 10 Difference be- tween 10/1/37 to 3/31/38 price and 4/1/38 to 9/30/38 award price
Sears, Roebuck & Co	....	....	....	....	\$31.75	\$29.00	\$24.82	\$5.31	\$7.12	\$6.93
The Cooper Corp	\$30.13	....	\$33.86	\$33.86	....	28.64	....	....	....	....
Dayton Rubber Mfg	30.13	....	33.86	33.86	....	32.63	....	....	....	....
Dunlop Tire	30.13 ²	....	....	....	....	....	....	....	....	....
Falls Rubber Corp	30.13	....	33.86	33.86	....	27.56	....	....	....	....
Firestone Tire	30.13	\$31.94	33.86	33.86	....	26.60	....	....	....	....
Fisk Rubber Corp	30.13	31.94	33.86	33.86	....	27.68	....	....	....	....
General Tire	30.13	31.94	33.86	33.86	....	31.14	....	....	....	....
B. F. Goordich Co	30.13	31.94	33.86	33.86	....	29.54	....	....	....	....
Goodyear Tire	30.13	31.94	33.86	33.86	....	29.31	....	....	....	....
Hicks Rubber Co	....	....	....	....	....	33.95	....	....	....	....
Kelly-Springfield	30.13	31.94	33.86	33.86	....	33.85	....	....	....	....
Lee Tire & Rubber	30.13	31.94	33.86	33.86	....	27.41	....	....	....	....
Mohawk	....	....	33.86	33.86	....	30.98	....	....	....	....
Norwalk Tire	30.13	....	33.86	33.86	....	34.36	....	....	....	....
Pennsylvania	30.13	31.94	33.86	33.86	....	29.85	....	....	....	....
F. G. Schenuit	30.13	31.94	33.86	33.19	....	33.40	....	....	....	....
Seiberling Rubber	30.13	31.94	33.86	33.86	....	24.82	....	....	....	....
U. S. Rubber Prod	30.13	....	33.86	33.86	....	29.20	....	....	....	....
U. S. Tire Dealers	....	31.94	....	....	....	....	....	....	....	....

Column 11
Number of tires pur-
chased during period
10/1/36 to 3/31/37

452

625

Column 12
Number of tires purchased
during period 4/1/37 to
9/30/37

Damages sustained
on such purchases
(625X\$5.31)
\$3,318.75

Damages sustained
on such purchases
(452X\$7.12)
\$3,218.24

217

218

219

EXHIBIT A (P. 56)

SIZE: 38 BY 7 (TRUCK, 10 PLY)

Company	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10
	Opening of 8/17/36 to 10/1/37	Opening of 1/25/37 for period 4/1/37 to 9/30/37	Opening of 7/21/37 for period 10/1/37 to 3/31/38	Opening of 9/20/37 for period 10/1/37 to 3/31/38	Sears, Roebuck & Co. prices for period 10/1/37 to 3/31/38	Opening of 2/7/38 for period 4/1/38 to 9/30/38	Award prices 4/1/38 to 9/30/38	Difference between 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 award price	Difference between 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price	Difference between 10/1/37 to 3/31/38 award price and 4/1/38 to 9/30/38 award price
Sears, Roebuck & Co	...	...	...	...	\$36.85	\$34.65	\$27.67	\$6.61	\$8.67	\$9.18
The Cooper Corp	\$34.28	...	\$38.52	\$38.52	...	31.42	Column 11	Column 12		
Dayton Rubber Mfg	34.59	...	38.52	38.52	...	37.05	Number of tires purchased during period 10/1/36 to 3/31/37	Number of tires purchased during period 4/1/37 to 9/30/37		
Dunlop Tire	34.28	...	...	...	...	...	2	2		
Falls Rubber Corp	34.28	...	38.52	38.52	...	30.56				
Firestone Tire	34.28	36.34	38.52	38.52	...	29.80				
Fisk Rubber Corp	34.28	36.34	38.52	38.52	...	30.46				
General Tire	34.28	36.34	38.52	38.52	...	33.33	Damages sustained on such purchases	Damages sustained on such purchases		
B. F. Goodrich Co	34.28	36.34	38.52	38.52	...	34.50	on such purchases (2X\$6.61)	on such purchases (2X\$8.67)		
Goodyear Tire	34.28	36.34	38.52	38.52	...	39.65	\$13.22	\$17.34		
Hicks Rubber Co	...	...	...	...	...	35.44				
Kelly-Springfield	34.28	36.34	38.52	38.52	...	36.17				
Lee Tire & Rubber	34.28	36.34	38.52	38.52	...	31.38				
Mohawk	...	...	35.52	38.52	...	33.23				
Norwalk Tire	34.28	...	38.52	38.52	...	36.79				
Pennsylvania	34.28	36.34	38.52	38.52	...	34.64				
F. G. Schenuit	34.28	36.34	38.52	37.36	...	38.55				
Seiberling Rubber	34.28	36.34	38.52	38.52	...	27.67				
U. S. Rubber Prod	34.28	...	38.52	38.52	...	33.00				
U. S. Tire Dealers	...	36.34	...	...	...	...

EXHIBIT A (P. 57)

SIZE: 36 BY 8 (TRUCK, 12, PLY)

Company	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10
	Opening of 9/17/36 for period 10/1/36 to 3/31/37	Opening of 1/25/37 for period 4/1/37 to 9/30/37	Opening of 7/21/37 for period 10/1/37 to 3/31/38	Opening of 9/20/37 for period 10/1/37 to 3/31/38	Sears, Roebuck & Co. price for period 10/1/37 to 3/31/38	Opening of 2/7/38 for period 4/1/38 to 9/30/38	Award prices 4/1/38 to 9/30/38	Difference between 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 award price	Difference between 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price	Difference between 10/1/37 to 3/31/38 price and 4/1/38 to 9/30/38 award price
Sears, Roebuck & Co	....	....	....	....	\$39.85	\$42.51	\$23.82	\$8.96	\$11.53	\$6.03
The Cooper Corp	\$42.78	....	\$48.07	\$48.07	....	38.54	Column 11			
Dayton Rubber Mfg	42.78	...	48.07	48.07	....	46.32	Column 12			
Dunlop Tire	42.78	....	....	....	....	....	Number of tires purchased during period 10/1/36 to 3/31/37.			
Falls Rubber Corp	42.78	....	48.07	48.07	....	37.64	10			
Firestone Tire	42.78	\$45.35	48.07	48.07	....	36.40	13			
Fisk Rubber Corp.	42.78	45.35	48.07	48.07	....	39.71	Damages sustained on such purchases			
General Tire	42.78	45.35	48.07	48.07	....	43.40	Damages sustained on such purchases			
B. F. Goodrich Co	42.78	45.35	48.07	48.07	....	42.26	(10X\$8.96)			
Goodyear Tire	42.78	45.35	48.07	48.07	....	47.80	(13X\$11.53)			
Hicks Rubber Co	....	....	....	....	....	45.90	\$89.60			
Kelly-Springfield	42.78	45.35	48.07	48.07	....	47.01	\$149.89			
Lee Tire & Rubber	42.78	45.35	48.07	48.07	....	39.43				
Mohawk	....	....	48.07	48.07	....	43.02				
Norwalk Tire	42.78	....	40.07	40.07	....	47.73				
Pennsylvania	42.78	45.35	48.07	48.07	....	37.46				
F. G. Schenuit	42.78	45.35	48.07	45.67	....	45.48				
Seiberling Rubber	42.78	45.35	48.07	48.07	....	33.82				
U. S. Rubber Prod	42.78	....	48.07	48.07	....	42.69				
U. S. Tire Dealers	....	45.35	....	....	....	....

75

223

224

225

EXHIBIT A (P. 58)

SIZE: 40 BY 8 (TRUCK, 12 PLY)

Company	Column 1 Opening of 8/17/36 for period 10/1/38 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roebuck & Co. price for period 10/1/37 to 3/31/38	Column 6 Opening of 2/27/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference be- tween 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 highest award price	Column 9 Difference be- tween 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 highest award price	Column 10 Difference be- tween 10/1/37 to 3/31/38 price and 4/1/38 to 9/30/38 highest award price
Sears, Roebuck & Co	....	....	....	....	\$50.17	\$47.15	\$35.77	\$12.51	\$15.41	\$14.40
The Cooper Corp	\$48.28	....	\$54.25	\$54.25	....	42.28	....	....	....	....
Dayton Rubber Mfg	48.28	....	54.25	54.25	....	52.17	....	....	....	....
Dunlop Tire	48.28	....	....	....	....	....	....	....	....	....
Falls Rubber Corp	48.28	....	54.25	54.25	....	41.23	....	....	....	....
Firestone Tire	48.28	\$51.18	54.25	54.25	....	42.50	....	....	....	....
Fisk Rubber Corp	48.28	51.18	54.25	54.25	....	43.14	....	....	....	....
General Tire	48.28	51.18	54.25	54.25	....	45.69	....	....	....	....
B. F. Goodrich Co	48.28	51.18	54.25	54.25	....	47.62	....	....	....	....
Goodyear Tire	48.28	51.18	54.25	54.25	....	54.91	....	....	....	....
Hicks Rubber Co	....	....	....	....	....	50.43	....	....	....	....
Kelly-Springfield	48.28	51.18	54.25	54.25	....	51.42	....	....	....	....
Lee Tire & Rubber	48.28	51.18	54.25	54.25	....	44.61	....	....	....	....
Mohawk	....	....	54.25	54.25	....	47.14	....	....	....	....
Norwalk Tire	48.28	....	54.25	54.25	....	52.25	....	....	....	....
Pennsylvania	48.28	51.16	54.25	54.25	....	47.16	....	....	....	....
F. G. Schenuit	48.28	51.18	54.25	51.54	....	53.47	....	....	....	....
Seiberling Rubber	48.28	51.18	54.25	54.25	....	35.77	....	....	....	....
U. S. Rubber Prod	48.28	....	54.25	54.25	....	46.76	....	....	....	....
U. S. Tire Dealers	....	51.18	....	....	....	....	....	....	....	....

Column 11
Number of tires pur-
chased during period
10/1/36 to 3/31/37

19

Column 12
Number of tires purchased
during period 4/1/37 to
9/30/37

51

Damages sustained
on such purchases
(19X\$12.51)
\$237.69

Damages sustained
on such purchases
(51X\$15.41)
\$785.91

EXHIBIT A (P. 59)

SIZE: 6.00 BY 20 (TRUCK, 6 PLY)

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roebuck & Co. price for period 10/1/37 to 3/31/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference between 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 award price	Column 9 Difference between 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price	Column 10 Difference between 10/1/37 to 3/31/38 price and 4/1/38 to 9/30/38 award price
Sears, Roebuck & Co	\$10.41	....	....	....	\$10.93	\$10.05	\$8.80	\$1.61	\$2.23	\$2.13
The Cooper Corp	10.41	....	\$11.69	\$11.69	....	11.25				
Dayton Rubber Mfg	10.41	....	11.69	11.69	....	11.10				
Dunlop Tire	10.41	....	11.69	11.69	....	....		
Falls Rubber Corp	10.41	....	11.69	11.69	....	10.91				
Firestone Tire	10.41	\$11.03	11.69	11.69	....	8.80				887
Fisk Rubber Corp	10.41	11.03	11.69	11.69	....	9.47				
General Tire	10.41	11.03	11.69	11.69	....	10.48				
B. F. Goodrich Co	10.41	11.03	11.69	11.69	....	9.93				
Goodyear Tire	10.41	11.03	11.69	11.69	....	9.42				
Hicks Rubber Co	....	....	....	....	....	12.44				
Kelly-Springfield	10.41	11.03	11.69	11.69	....	11.42				
Lee Tire & Rubber	10.41	11.03	11.69	11.69	....	10.93				
Mohawk	....	....	11.69	11.69	....	10.56				
Norwalk Tire	10.41	....	11.69	11.69	....	11.64				
Pennsylvania	10.41	11.03	11.69	11.69	....	10.27				
F. G. Schenuit	10.41	....	....	....	....	14.28				
Seiberling Rubber	10.41	11.03	11.69	11.69	....	9.47				
U. S. Rubber Prod	10.41	....	11.69	11.69	....	9.37				
U. S. Tire Dealers	....	11.03	....	....	....	....

Column 11
Number of tires purchased during period 10/1/36 to 3/31/37
1,292

Column 12
Number of tires purchased during period 4/1/37 to 9/30/37
887

Damages sustained on such purchases
(1,292X\$1.61)
\$2,080.12

Damages sustained on such purchases
(887X\$2.23)
\$1,978.01

229

230

231

EXHIBIT A (P. 60)

SIZE: 6.50 BY 20 (TRUCK, 6 PLY)

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roebuck & Co. prices for period 10/1/37 to 3/31/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference be- tween 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 award price	Column 9 Difference be- tween 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price	Column 10 Difference be- tween 10/1/37 to 3/31/38 price and 4/1/38 to 9/30/38 award price
Sears, Roebuck & Co	.....	.....	.....	.....	\$13.28	\$12.48	\$10.82	\$2.06	\$2.83	\$2.46
The Cooper Corp	\$12.88	.....	\$14.47	\$14.47	....	11.96	.....	.....	.....	.....
Dayton Rubber Mfg	12.88	.....	14.47	14.47	....	13.81	.....	.....	.....	.....
Dunlop Tire	12.88	.....	.....	.....	....	.....	.....	.....	.....	.....
Falls Rubber Corp	12.88	.....	14.47	14.47	....	12.47	.....	.....	.....	.....
Firestone Tire	12.88	\$13.65	14.47	14.47	....	11.45	.....	.....	.....	.....
Fisk Rubber Corp	12.88	13.65	14.47	14.47	....	10.90	.....	.....	.....	.....
General Tire	12.88	13.65	14.47	14.47	....	12.75	.....	.....	.....	.....
B. F. Goodrich Co	12.88	13.65	14.47	14.47	....	11.72	.....	.....	.....	.....
Goodyear Tire	12.88	13.65	14.47	14.47	....	12.03	.....	.....	.....	.....
Hicks Rubber Co	....	.....	.....	.....	....	14.04	.....	.....	.....	.....
Kelly-Springfield	12.88	13.65	14.47	14.47	....	14.84	.....	.....	.....	.....
Lee Tire & Rubber	12.88	13.65	14.47	14.47	....	12.83	.....	.....	.....	.....
Mohawk	....	.....	.....	.....	....	13.65	.....	.....	.....	.....
Norwalk Tire	12.88	.....	14.47	14.47	....	15.10	.....	.....	.....	.....
Pennsylvania	12.88	13.65	14.47	14.47	....	15.06	.....	.....	.....	.....
F. G. Schenuit	12.88	.....	.....	.....	....	16.81	.....	.....	.....	.....
Seiberling Rubber	12.88	13.65	14.47	14.47	....	10.82	.....	.....	.....	.....
U. S. Rubber Prod	12.88	.....	14.47	14.47	....	11.97	.....	.....	.....	.....
U. S. Tire Dealers	....	13.65	.....	.....	....	.....	.....	.....	.....	.....

SIZE: 7.00 BY 20 (TRUCK, 8 PLY)

79

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roebuck & Co. price for period 10/1/37 to 3/31/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference be- tween 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 award price	Column 9 Difference be- tween 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price	Column 10 Difference be- tween 10/1/37 to 3/31/38 price and 4/1/38 to 9/30/38 award price
Sears, Roebuck & Co.	.....	.....	.....	.....	\$17.90	\$17.50	\$14.47	\$3.48	\$4.56	\$3.43
The Cooper Corp	\$17.95	.....	\$20.17	\$20.17	.....	16.80	.....	.....	.....	.....
Dayton Rubber Mfg	17.95	.....	20.17	20.17	.....	19.25	.....	.....	.....	.....
Dunlop Tire	17.95	.....	.....	.....	.....	.....	.....	.....	.....	.....
Falls Rubber Corp	17.95	.....	20.17	20.17	.....	16.43	.....	.....	.....	.....
Firestone Tire	17.95	\$19.03	20.17	20.17	.....	15.62	.....	.....	.....	.....
Fisk Rubber Corp	17.95	19.03	20.17	20.17	.....	14.66	.....	.....	.....	823
General Tire	17.95	19.03	20.17	20.17	.....	18.12	.....	.....	.....	.....
B. F. Goodrich Co	17.95	19.03	20.17	20.17	.....	17.10	.....	.....	.....	.....
Goodyear Tire	17.95	19.03	20.17	20.17	.....	17.61	.....	.....	.....	.....
Hicks Rubber Co	.....	.....	.....	.....	.....	20.12	.....	.....	.....	.....
Kelly-Springfield	17.95	19.03	20.17	20.17	.....	19.58	.....	.....	.....	.....
Lee Tire & Rubber	17.95	19.03	20.17	20.17	.....	19.46	.....	.....	.....	.....
Mohawk	.....	.....	20.17	20.17	.....	18.10	.....	.....	.....	.....
Norwalk Tire	17.95	.....	20.17	20.17	.....	20.02	.....	.....	.....	.....
Pennsylvania	17.95	19.03	20.17	20.17	.....	16.83	.....	.....	.....	.....
F. G. Schennit	17.95	19.03	.....	.....	.....	21.00	.....	.....	.....	.....
Seiberling Rubber	17.95	19.03	20.17	20.17	.....	14.47	.....	.....	.....	.....
U. S. Rubber Prod	17.95	.....	20.17	20.17	.....	16.07	.....	.....	.....	.....
U. S. Tire Dealers	.....	19.03	.....	.....	.....	.....	.....	.....	.....	.....

Column 11
Number of tires pur-
chased during period
10/1/36 to 3/31/37

611

Column 12
Number of tires purchased
during period 4/1/37 to
9/30/37

823

Damages sustained
on such purchases
(611X\$3.48)
\$2,126.28

Damages sustained
on such purchases
(823X\$4.56)
\$3,752.88

235

236

237

238

239

240

EXHIBIT A (P. 62)

SIZE: 7.50 BY 20 (TRUCK, 8 PLY)

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roebuck & Co. price for period 10/1/37 to 3/31/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference be- tween 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 highest award price	Column 9 Difference be- tween 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 highest award price	Column 10 Difference be- tween 10/1/37 to 3/31/38 price and 4/1/38 to 9/30/38 highest award price
Sears, Roebuck & Co	\$21.44	....	....	....	\$21.82	\$20.89	\$17.60	\$3.84	\$5.13	\$4.22
The Cooper Corp	21.44	....	\$24.09	\$24.09	....	24.86	Column 11 Number of tires pur- chased during period 10/1/36 to 3/31/37 685			
Dayton Rubber Mfg	21.44	....	24.09	24.09	....	22.84	Column 12 Number of tires purchased during period 4/1/37 to 9/30/37 1,399			
Dunlop Tire	21.44	....	....	....	....	....	Damages sustained on such purchases (1,399X\$5.13) \$7,176.87			
Falls Rubber Corp	21.44	....	24.09	24.09	....	23.25	Damages sustained on such purchases (685X\$3.84) \$2,630.40			
Firestone Tire	21.44	\$22.73	24.09	24.09	....	18.95				
Fisk Rubber Corp	21.44	22.73	24.09	24.09	....	19.12				
General Tire	21.44	22.73	24.09	24.09	....	21.86				
B. F. Goodrich Co	21.44	22.73	24.09	24.09	....	18.74				
Goodyear Tire	21.44	22.73	24.09	24.09	....	21.06				
Hicks Rubber Co	....	....	....	....	....	25.75				
Kelly-Springfield	21.44	22.73	24.09	24.09	....	23.77				
Lee Tire & Rubber	21.44	22.73	24.09	24.09	....	21.18				
Mohawk	....	....	24.09	24.09	....	21.88				
Norwalk Tire	21.44	....	24.09	24.09	....	24.19				
Pennsylvania	21.44	22.73	24.09	24.09	....	20.51				
F. G. Schenuit	21.44	....	....	....	....	26.00				
Seiberling Rubber	21.44	22.73	24.09	24.09	....	20.65				
U. S. Rubber Prod	21.44	....	24.09	24.09	....	17.60				
U. S. Tire Dealers	....	22.73	....	....	....	....

80

SIZE: 8.25 BY 18 (TRUCK, 10 PLY)

81

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roebuck & Co. price for period 10/1/37 to 3/31/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference be- tween 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 award price	Column 9 Difference be- tween 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price	Column 10 Difference be- tween 10/1/37 to 3/31/38 price and 4/1/38 to 9/30/38 award price
Sears, Roebuck & Co	...	...	...	...	\$33.15	\$31.92	\$27.07	\$3.21	\$5.03	\$6.08
The Cooper Corp.	...	...	...	...	...	...	(Zones 10 and 11)	...	...	...
Dayton Rubber Mfg	...	...	...	...	...	...	26.60	...	...	...
Dunlop Tire	...	...	...	...	...	...	(All others)	...	...	...
Falls Rubber Corp	...	...	...	...	...	...	...	...	...	...
Firestone Tire	\$30.28	\$32.10	\$34.03	\$34.03	...	27.54	...	...	...	...
Fisk Rubber Corp	...	32.10	34.03	34.03	...	30.34	...	...	...	...
General Tire	30.28	32.10	34.03	34.03	...	31.39	...	...	...	...
B. F. Goodrich Co.	30.28	32.10	34.03	34.03	...	29.77	...	...	...	...
Goodyear Tire	30.28	32.10	34.03	34.03	...	33.61	...	...	...	...
Hicks Rubber Co	...	...	...	...	...	...	...	...	...	...
Kelly-Springfield	...	...	...	...	...	...	...	...	...	...
Lee Tire & Rubber	...	...	34.03	34.03	...	26.60	...	...	...	...
Mohawk	...	...	...	...	...	...	...	...	...	...
Norwalk Tire	...	...	...	...	...	...	...	...	...	...
Pennsylvania	...	...	...	...	...	...	...	...	...	...
F. G. Schennit	...	...	...	...	...	...	...	...	...	...
Seiberling Rubber	...	32.10	34.03	34.03	...	27.07	...	...	...	...
U. S. Rubber Prod	30.28	...	34.03	34.03	...	30.97	...	...	...	...
U. S. Tire Dealers	...	32.10	...	...	...	...	...	...	...	...

Column 11

Number of tires pur-
chased during period
10/1/36 to 3/31/37

Column 12

Number of tires purchased
during period 4/1/37 to
9/30/37Damages sustained
on such purchases
(2X\$5.03)

\$10.06

Damages sustained
on such purchases
(2X\$3.21)

\$6.42

241

242

243

250

251

252

EXHIBIT A (P. 66)

SIZE: 9.00 BY 20 (TRUCK, 10 PLY)

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roebuck & Co. prices for period 10/1/37 to 3/31/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference be- tween 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 highest award price	Column 9 Difference be- tween 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 highest award price	Column 10 Difference be- tween 10/1/37 to 3/31/38 price and 4/1/38 to 9/30/38 highest award price
Sears, Roebuck & Co	....	....	....	....	\$38.65	\$36.81	\$32.59	\$4.00	\$6.20	\$6.06
The Cooper Corp.	\$36.59	....	\$41.12	\$41.12	....	35.65	....	....	....	....
Dayton Rubber Mfg	36.59	....	41.12	41.12	....	39.42	....	....	....	....
Dunlop Tire	36.59	....	....	....	....	....	....	....	....	....
Falls Rubber Corp	36.59	....	41.12	41.12	....	35.27	....	....	....	....
Firestone Tire	36.59	\$38.79	41.12	41.12	....	32.59	....	....	....	....
Fisk Rubber Corp	36.59	38.79	41.12	41.12	....	37.43	....	....	....	....
General Tire	36.59	38.79	41.12	41.12	....	36.09	....	....	....	....
B. F. Goodrich Co	36.59	38.79	41.12	41.12	....	35.30	....	....	....	....
Goodyear Tire	36.59	38.79	41.12	41.12	....	40.53	....	....	....	....
Hicks Rubber Co	....	....	....	....	....	42.61	....	....	....	....
Kelly-Springfield	36.59	38.79	41.12	41.12	....	42.22	....	....	....	....
Lee Tire & Rubber	36.59	38.79	41.12	41.12	....	32.37	....	....	....	....
Mohawk	....	....	41.12	41.12	....	38.69	....	....	....	....
Norwalk Tire	36.59	....	41.12	41.12	....	42.90	....	....	....	....
Pennsylvania	36.59	38.79	41.12	41.12	....	36.33	....	....	....	....
F. G. Schenuit	36.59	38.79	41.12	40.30	....	39.85	....	....	....	....
Seiberling Rubber	36.59	38.79	41.12	41.12	....	....	....	....	....	....
U. S. Rubber Prod	36.59	....	41.12	41.12	....	37.00	....	....	....	....
U. S. Tire Dealers	....	38.79	....	....	....	....	....	....	....	....
								Column 11 Number of tires pur- chased during period 10/1/36 to 3/31/37	Column 12 Number of tires purchased during period 4/1/37 to 9/30/37	
								61	149	
								Damages sustained on such purchases (61X\$4.00) \$244.00	Damages sustained on such purchases (149X\$6.20) \$923.80	84

SIZE: 9.00 BY 22 (TRUCK, 10 PLY)

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/23/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roebuck & Co. price for period 10/1/37 to 3/31/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference be- tween 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 award price	Column 9 Difference be- tween 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price	Column 10 Difference be- tween 10/1/37 to 3/31/38 price and 4/1/38 to 9/30/38 award price
Sears, Roebuck & Co	....	....	....	....	\$40.25	....	\$34.23	\$4.74	\$7.08	\$6.02
The Cooper Corp	....	....	....	....	....	....	....	....	....	....
Dayton Rubber Mfg	\$38.97	....	\$43.79	\$43.79	....	....	....	....	....	....
Dunlop Tire	....	....	....	....	....	....	....	....	....	....
Falls Rubber Corp	....	....	....	....	....	....	....	....	....	....
Firestone Tire	38.97	\$41.31	43.79	43.79	....	\$34.23	....	....	....	....
Fisk Rubber Corp	38.97	41.31	43.79	43.79	....	39.15	....	....	....	....
General Tire	38.97	41.31	43.79	43.79	....	39.84	....	....	....	....
B. F. Goodrich Co	38.97	41.31	43.79	43.79	....	39.84	....	....	....	....
General Tire	38.97	41.31	43.79	43.79	....	40.75	....	....	....	....
Hicks Rubber Co	....	....	....	....	....	....	....	....	....	....
Kelly-Springfield	....	....	....	....	....	44.26	....	....	....	....
Lee Tire & Rubber	38.97	41.31	43.79	43.79	....	34.26	....	....	....	....
Mohawk	....	....	....	....	....	....	....	....	....	....
Norwalk Tire	....	....	....	....	....	....	....	....	....	....
Pennsylvania	38.97	41.31	43.79	43.79	....	37.84	....	....	....	....
F. G. Schenuit	....	....	....	....	....	....	....	....	....	....
Seiberling Rubber	38.97	41.31	43.79	43.79	....	36.82	....	....	....	....
U. S. Rubber Prod	38.97	....	43.79	43.79	....	40.26	....	....	....	....
U. S. Tire Dealers	....	41.31	....	....	....	....	....	....	....	....

Column 12

Column 11

Number of tires purchased during period 4/1/37 to 9/30/37

4

12

Damages sustained on such purchases (4X\$7.08) \$28.32

(12X\$4.74)

\$56.88

253

254

255

256

257

258

EXHIBIT A (P. 68)

SIZE: 9.00 BY 24 (TRUCK, 10 PLY)

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roebuck & Co. price for period 10/1/37 to 3/31/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference be- tween 10/1/35 to 3/31/37 award price and 4/1/38 to 9/30/38 award price	Column 9 Difference be- tween 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price	Column 10 Difference be- tween 10/1/37 to 3/31/38 price and 4/1/38 to 9/30/38 award price
Sears, Roebuck & Co	....	....	....	....	\$43.35	\$42.59	\$35.73	\$5.85	\$8.34	\$7.62
The Cooper Corp	\$41.58	....	\$46.71	\$46.71	....	37.54	....	....	....	....
Dayton Rubber Mfg	....	....	46.71	46.71	....	44.84	....	....	....	....
Dunlop Tire	....	....	....	....	....	....	....	....	....	....
Falls Rubber Corp	....	....	....	....	....	....	....	....	....	....
Firestone Tire	41.58	44.07	46.71	46.71	....	35.73	....	....	....	....
Fisk Rubber Corp	41.58	44.07	46.71	46.71	....	40.82	....	....	....	....
General Tire	41.58	44.07	46.71	46.71	....	42.14	....	....	....	....
B. F. Goodrich Co	41.58	44.07	46.71	46.71	....	41.23	....	....	....	....
Goodyear Tire	41.58	44.07	46.71	46.71	....	46.01	....	....	....	....
Hicks Rubber Co	....	....	....	....	....	....	....	....	....	....
Kelly-Springfield	41.58	44.07	46.71	46.71	....	45.79	....	....	....	....
Lee Tire & Rubber	41.58	44.07	46.71	46.71	....	36.78	....	....	....	....
Mohawk	....	....	46.71	46.71	....	42.01	....	....	....	....
Norwalk Tire	41.58	....	46.71	46.71	....	....	....	....	....	....
Pennsylvania	41.58	44.07	46.71	46.71	....	40.75	....	....	....	....
F. G. Schenuit	....	....	....	....	....	....	....	....	....	....
Seiberling Rubber	41.58	44.07	46.71	46.71	....	36.38	....	....	....	....
U. S. Rubber Prod	41.58	....	46.71	46.71	....	41.68	....	....	....	....
U. S. Tire Dealers	....	44.07	....	....	....	....	....	....	....	....

Column 12

Number of tires purchased during period 4/1/37 to 9/30/37

6

29

Damages sustained on such purchases

(6X\$5.85)

\$35.10

(29X\$8.34)

\$241.86

86

SIZE: 9.75-BY 20 (TRUCK, 12 PLY)

87

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roebuck & Co. price for period 10/1/37 to 3/31/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference be- tween 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 award price	Column 9 Difference be- tween 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price	Column 10 Difference be- tween 10/1/37 to 3/31/38 price and 4/1/38 to 9/30/38 award price
Sears, Roebuck & Co	.....	.....	.....	.....	\$50.71	\$47.60	\$41.50	\$7.03	\$9.94	\$9.21
The Cooper Corp	\$48.53	.....	\$54.53	\$54.53	.....	45.15	.....	.....	.....	.....
Dayton Rubber Mfg	48.53	.....	54.53	54.53	.....	52.58	.....	.....	.....	.....
Dunlop Tire	48.53	.....	.....	.....	.....	.....	.....	.....	.....	.....
Falls Rubber Corp	48.53	.....	54.53	54.53	.....	44.17	.....	.....	.....	.....
Firestone Tire	48.53	\$51.44	54.53	54.53	.....	41.50	.....	.....	.....	.....
Risk Rubber Corp	48.53	51.44	54.53	54.53	.....	47.02	.....	.....	.....	.....
General Tire	48.53	51.44	54.53	54.53	.....	46.85	.....	.....	.....	.....
B. F. Goodrich Co	48.53	51.44	54.53	54.53	.....	46.86	.....	.....	.....	.....
Goodyear Tire	48.53	51.44	54.53	54.53	.....	53.80	.....	.....	.....	.....
Hicks Rubber Co	.....	.....	.....	.....	.....	52.47	.....	.....	.....	.....
Kelly-Springfield	48.53	51.44	54.53	54.53	.....	55.42	.....	.....	.....	.....
Lee Tire & Rubber	48.53	51.44	54.53	54.53	.....	44.16	.....	.....	.....	.....
Mohawk	.....	.....	54.53	54.53	.....	50.59	.....	.....	.....	.....
Norwalk Tire	48.53	.....	54.53	54.53	.....	56.22	.....	.....	.....	.....
Pennsylvania	48.53	51.44	54.53	54.53	.....	47.67	.....	.....	.....	.....
F. G. Schenutt	48.53	51.44	54.53	51.80	.....	51.81	.....	.....	.....	.....
Seiberling Rubber	48.53	51.44	54.53	54.53	.....	42.48	.....	.....	.....	.....
U. S. Rubber Prod	48.53	.....	54.53	54.53	.....	47.80	.....	.....	.....	.....
U. S. Tire Dealers	.....	51.44	.....	.....	.....	.....	.....	.....	.....	.....

Sears, Roebuck & Co

The Cooper Corp

Dayton Rubber Mfg

Dunlop Tire

Falls Rubber Corp

Firestone Tire

Risk Rubber Corp

General Tire

B. F. Goodrich Co

Goodyear Tire

Hicks Rubber Co

Kelly-Springfield

Lee Tire & Rubber

Mohawk

Norwalk Tire

Pennsylvania

F. G. Schenutt

Seiberling Rubber

U. S. Rubber Prod

U. S. Tire Dealers

261

260

259

EXHIBIT A (P. 70)

SIZE: 9.75 BY 22 (TRUCK, 12 PLY)

[illegible]

Company	Column 1 Opening of 8/1/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roebuck & Co. price for period 10/1/37 to 3/31/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference be- tween 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 award price	Column 9 Difference be- tween 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price	Column 10 Difference be- tween 10/1/37 to 3/31/38 price and 4/1/38 to 9/30/38 award price
Sears, Roebuck & Co.	....	....	....	....	\$56.44	\$53.13	\$45.80	\$7.55	\$10.75	\$10.64
The Cooper Corp.	\$53.35	....	\$59.94	\$59.94	....	47.23	Column 12 Number of tires purchased during period 4/1/37 to 9/30/37			
Dayton Rubber Mfg	53.59	....	60.10	60.10	....	57.95	3			
Dunlop Tire	....	....	....	....	....	....	Damages sustained on such purchases			
Falls Rubber Corp	....	....	....	....	....	....	(3X\$10.75)			
Firestone Tire	53.35	\$56.55	59.94	59.94	....	45.80	\$32.25			
Fisk Rubber Corp	53.35	56.55	59.94	59.94	....	51.11	Damages sustained on such purchases			
General Tire	53.35	56.55	59.94	59.94	....	51.40				
B. F. Goodrich Co	53.35	56.55	59.94	59.94	....	56.40				
Goodyear Tire	53.35	56.55	59.94	59.94	....	59.01				
Hicks Rubber Co	....	....	....	....	....	57.63				
Kelly-Springfield	53.35	56.55	59.94	59.94	....	55.42				
Lee Tire & Rubber	53.35	56.55	59.94	59.94	....	49.85				
Mohawk	....	....	59.94	59.94	....	54.20				
Norwalk Tire	53.35	....	59.94	59.94	....	60.16				
Pennsylvania	53.35	56.55	59.94	59.94	....	53.05				
F. G. Schenuit	....	....	....	....	....	....
Seiberling Rubber	53.35	56.55	59.94	59.94	....	53.40				
U. S. Rubber Prod	53.35	....	59.94	59.94	....	53.77				
U. S. Tire Dealers	....	56.55	....	....	....	....

265

266

267

EXHIBIT A (P. 72)

SIZE: 10.50 BY 20 (TRUCK, 12 PLY)

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roebuck & Co. price for period 10/1/37 to 3/31/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference between 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 award price	Column 9 Difference between 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price	Column 10 Difference between 10/1/37 to 3/31/38 price and 4/1/38 to 9/30/38 award price
Sears, Roebuck & Co	\$55.48	\$55.48	\$62.34	\$62.34	\$57.19	\$53.72	\$47.90	\$7.58	\$10.91	\$9.29
The Cooper Corp	55.48	55.48	62.34	62.34	47.85	60.32				
Dayton Rubber Mfg	55.48	55.48	62.34	62.34	.....	.....		
Dunlop Tire	55.48	55.48	62.34	62.34	.....	.....		
Falls Rubber Corp	55.48	55.48	62.34	62.34	.....	.....		
Firestone Tire	55.48	58.81	62.34	62.34	.....	47.90	20			73
Fisk Rubber Corp	55.48	58.81	62.34	62.34	.....	55.63				
General Tire	55.48	58.81	62.34	62.34	.....	52.33				
B. F. Goodrich Co	55.48	58.81	62.34	62.34	.....	53.69				
Goodyear Tire	55.48	58.81	62.34	62.34	.....	60.04	(29X\$7.58)			(73X\$10.91)
Hicks Rubber Co	55.48	58.81	62.34	62.34	.....	62.32	\$151.60			\$796.43
Kelly-Springfield	55.48	58.81	62.34	62.34	.....	62.73				
Lee Tire & Rubber	55.48	58.81	62.34	62.34	.....	50.23				
Mohawk	55.48	58.81	62.34	62.34	.....	57.26				
Norwalk Tire	55.48	58.81	62.34	62.34	.....	63.64				
Pennsylvania	55.48	58.81	62.34	62.34	.....	65.76				
F. G. Schenuit	55.48	58.81	62.34	62.34	.....	.....		
Seiberling Rubber	55.48	58.81	62.34	62.34	.....	55.48				
U. S. Rubber Prod	55.48	58.81	62.34	62.34	.....	50.83				
U. S. Tire Dealers	55.48	58.81	62.34	62.34	.....	.....		

SIZE: 11.25 BY 24 (TRUCK, 14 PLY)

91

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roebuck & Co. for period 10/1/37 to 3/31/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference between 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 award price	Column 9 Difference between 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price	Column 10 Difference between 10/1/37 to 3/31/38 price and 4/1/38 to 9/30/38 award price
Sears, Roebuck & Co	...	...	...	...	\$89.47	...	\$76.48	\$12.42	\$17.75	\$12.99
The Cooper Corp.	...	...	...	...	...	...	(Zones 10 & 11)	...	...	...
Dayton Rubber Mfg	...	...	...	...	...	67.62	...	...	...	...
Dunlop Tire	...	...	...	...	...	...	\$65.15	...	...	...
Falls Rubber Corp	...	...	...	...	...	...	(All others)	...	...	...
Firestone Tire	\$88.90	\$94.23	\$99.88	\$99.88	...	75.88	...	...	...	...
Fisk Rubber Corp	88.90	94.23	99.88	99.88	...	71.79	...	...	...	...
General Tire	88.90	94.23	99.88	99.88	...	84.26	...	...	...	...
B. F. Goodrich Co	88.90	94.23	99.88	99.88	...	81.18	...	...	...	...
Goodyear Tire	88.90	94.23	99.88	99.88	...	96.71	...	...	...	...
Hicks Rubber Co	...	...	...	...	...	78.39	...	...	...	...
Kelly-Springfield	88.90	94.23	99.88	99.88	...	93.65	...	...	...	...
Lee Tire & Rubber	88.90	94.23	99.88	99.88	...	65.15	...	...	...	...
Mohawk	...	...	...	...	...	...	...	...	...	...
Norwalk Tire	...	...	...	...	...	...	...	...	...	...
Pennsylvania	88.90	94.23	99.88	99.88	...	84.10	...	...	...	...
F. G. Schenuit	...	...	...	...	...	...	...	...	...	...
Seiberling Rubber	88.90	94.23	99.88	99.88	...	76.48
U. S. Rubber Prod	88.90	...	99.88	99.88	...	84.60
U. S. Tire Dealers	...	94.23

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EXHIBIT A (P. 74)

SIZE: 13.50 BY 24 (TRUCK, 16 PLY)

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roebuck & Co. price for period 10/1/37 to 3/31/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference between 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 highest award price	Column 9 Difference between 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 highest award price	Column 10 Difference between 10/1/37 to 3/31/38 price and 4/1/38 to 9/30/38 highest award price
Sears, Roebuck & Co	.....	.....	.....	.....	\$143.31	\$172.36	\$104.90	\$22.65	\$30.30	\$38.41
The Cooper Corp	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Dayton Rubber Mfg	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Dunlop Tire	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Falls Rubber Corp	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Firestone Tire	\$127.55	\$135.20	\$143.31	\$143.31	.....	104.90	.....	.....	.....	.....
Fisk Rubber Corp	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
General Tire	127.55	135.20	143.31	143.31	.....	120.79	.....	.....	.....	.....
B. F. Goodrich Co	127.55	135.20	143.31	143.31	.....	131.80	.....	.....	.....	.....
Goodyear Tire	127.55	135.20	143.31	143.31	.....	138.64	.....	.....	.....	.....
Hicks Rubber Co	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Kelly-Springfield	.....	.....	143.31	143.31	.....	150.84	.....	.....	.....	.....
Lec Tire & Rubber	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Mohawk	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Norwalk Tire	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Pennsylvania	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
F. G. Schenuit	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Seiberling Rubber
U. S. Rubber Prod	127.55	143.31	143.31	135.49
U. S. Tire Dealers	135.20

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Column 12

Number of tires purchased during period 4/1/37 to 9/30/37

Column 11

Number of tires purchased during period 10/1/36 to 3/31/37

1

Damages sustained on such purchases

(1X\$22.65)

\$22.65

Damages sustained

on such purchases

SIZE: 5.50 BY 17 (SPECIAL MUD AND SNOW, 6 PLY)

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roebuck & Co. price for period 10/1/37 to 3/31/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference between 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 award price	Column 9 Difference between 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price	Column 10 Difference between 10/1/37 to 3/31/38 price and 4/1/38 to 9/30/38 award price
Sears, Roebuck & Co	.....	.....	.....	.....	\$7.28	\$7.10	\$6.76	\$0.37	\$0.80	\$0.52
The Cooper Corp	\$7.13	.....	\$8.01	\$8.01	.....	7.30	.....	.....	.....	.....
Dayton Rubber Mfg	7.13	.....	8.01	8.01	.....	7.60	.....	.....	.....	.....
Dunlop Tire	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Falls Rubber Corp	7.13	.....	8.01	8.01	.....	.....	.....	.....	.....	.....
Firestone Tire	7.13	.....	8.01	8.01	.....	6.80	.....	.....	.....	.....
Fisk Rubber Corp	.....	.....	8.01	8.01	.....	6.81	.....	.....	.....	.....
General Tire	.....	.....	.....	8.01	.....	8.38	.....	.....	.....	.....
B. F. Goodrich Co	7.13	7.56	8.01	8.01	.....	7.27	.....	.....	.....	.....
Goodyear Tire	7.13	7.56	8.01	8.01	.....	7.36	.....	.....	.....	.....
Hicks Rubber Co	.....	.....	.....	.....	.....	8.22	.....	.....	.....	.....
Kelly-Springfield	.....	7.56	8.01	8.01	.....	.....	.....	.....	.....	.....
Lee Tire & Rubber	.....	.....	8.01	8.01	.....	8.08	.....	.....	.....	.....
Mohawk	.....	.....	8.01	8.01	.....	8.09	.....	.....	.....	.....
Norwalk Tire	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Pennsylvania	.....	7.56	8.01	8.01	.....	6.46	.....	.....	.....	.....
F. G. Schenuit	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Seiberling Rubber	.....	7.56	8.01	8.01	.....	6.61	.....	.....	.....	.....
U. S. Rubber Prod	7.13	.....	8.01	8.01	.....	6.76	.....	.....	.....	.....
U. S. Tire Dealers	.....	7.56	.....	.....	.....	.....	.....	.....	.....	.....

Column 11
Number of tires purchased during period 10/1/36 to 3/31/37

18

Column 12

22

Damages sustained on such purchases (18X\$0.37) \$6.66

Damages sustained on such purchases (22X\$0.80) \$17.60

277

278

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EXHIBIT A (P. 76)

SIZE: 6.00 BY 16 (SPECIAL MUD AND SNOW, 6 PLY)

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roebuck & Co. price for period 10/1/37 to 3/31/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference be- tween 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 award price	Column 9 Difference be- tween 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price	Column 10 Difference be- tween 10/1/37 to 3/31/38 price and 4/1/38 to 9/30/38 award price
Sears, Roebuck & Co	8.58	9.09	9.64	9.64	8.34	7.90	\$7.22	\$1.36	\$1.87	\$1.12
The Cooper Corp	8.58	9.09	9.64	9.64	7.80	9.20	Column 11 Number of tires pur- chased during period 10/1/36 to 3/31/37	Column 12 Number of tires purchased during period 4/1/37 to 9/30/37		
Dayton Rubber Mfg	8.58	9.09	9.64	9.64	7.77	7.50	16	2		
Dunlop Tire	8.58	9.09	9.64	9.64	7.33	9.46	Damages sustained on such purchases (16X\$1.36)	Damages sustained on such purchases (2X\$1.87)		
Falls Rubber Corp	8.58	9.09	9.64	9.64	8.74	10.24	\$21.76	\$3.74		
Firestone Tire	8.58	9.09	9.64	9.64	8.11	9.36				
Fisk Rubber Corp	8.58	9.09	9.64	9.64	7.84					
General Tire	8.58	9.09	9.64	9.64						
B. F. Goodrich Co	8.58	9.09	9.64	9.64						
Goodyear Tire	8.58	9.09	9.64	9.64						
Hicks Rubber Co	8.58	9.09	9.64	9.64						
Kelly-Springfield	8.58	9.09	9.64	9.64						
Lee Tire & Rubber	8.58	9.09	9.64	9.64						
Mohawk	8.58	9.09	9.64	9.64						
Norwalk Tire	8.58	9.09	9.64	9.64						
Pennsylvania	8.58	9.09	9.64	9.64						
F. G. Schenuit	8.58	9.09	9.64	9.64						
Seiberling Rubber	8.58	9.09	9.64	9.64						
U. S. Rubber Prod	8.58	9.09	9.64	9.64						
U. S. Tire Dealers	8.58	9.09	9.64	9.64						

EXHIBIT A (P. 77)

SIZE: 5.00 BY 15 (LOW-PRESSURE, TRACTOR, 4 PLY)

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roebuck & Co. price for period 10/1/37 to 3/31/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference between 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 award price	Column 9 Difference between 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price	Column 10 Difference between 10/1/37 to 3/31/38 price and 4/1/38 to 9/30/38 award price
Sears, Roebuck & Co	\$5.57	\$4.62	\$3.99	\$2.41	\$2.79	\$1.58
The Cooper Corp
Dayton Rubber Mfg
Dunlop Tire
Falls Rubber Corp
Firestone Tire	\$6.40	\$6.78	\$7.19	\$7.19	....	3.99	....	....	....	....
Fisk Rubber Corp
General Tire
B. F. Goodrich Co	6.40	6.78	7.19	7.19	....	6.48	....	....	....	....
Goodyear Tire	6.40	6.78	7.19	7.19	....	5.34	....	....	....	....
Hicks Rubber Co
Kelly-Springfield
Lee Tire & Rubber
Mohawk
Norwalk Tire
Pennsylvania
F. G. Schenuit
Seiberling Rubber
U. S. Rubber Prod	6.40	....	7.19	7.19	....	4.40	....	....	....	....
U. S. Tire Dealers	6.78	....	....	....	....	....	....	....	....

Column 11: Number of tires purchased during period 10/1/36 to 3/31/37
 Column 12: Number of tires purchased during period 4/1/37 to 9/30/37
 Damages sustained on such purchases (10X\$2.41) \$24.10
 Damages sustained on such purchases (4X\$2.79) \$11.16

285

284

283

286

287

288

EXHIBIT A (P. 78)

SIZE: 6.00 BY 16 (LOW PRESSURE, TRACTOR, 4 PLY)

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roebuck & Co. prices for period 10/1/37 to 3/31/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference be- tween 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 highest award price	Column 9 Difference be- tween 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 highest award price	Column 10 Difference be- tween 10/1/37 to 3/31/38 price and 4/1/38 to 9/30/38 highest award price
Sears, Roebuck & Co	\$7.19	\$6.86	\$5.81	\$1.70	\$2.15	\$1.38
The Cooper Corp
Dayton Rubber Mfg
Dunlop Tire
Falls Rubber Corp
Firestone Tire	\$7.51	\$7.96	\$8.44	\$8.44	...	5.81	...	...	...	...
Fisk Rubber Corp	8.44	8.44	...	...	...	...	...	...
General Tire
B. F. Goodrich Co	7.51	7.96	8.44	8.44	...	...	...	...	...	...
Goodyear Tire	7.51	7.96	8.44	8.44	...	...	...	...	...	...
Hicks Rubber Co
Kelly-Springfield
Lee Tire & Rubber
Mohawk
Norwalk Tire
Pennsylvania
F. G. Schenuit
Seiberling Rubber
U. S. Rubber Prod	7.51	...	8.44	8.44	...	6.10	...	...	...	...
U. S. Tire Dealers	...	7.96	...	...	...	...	...	...	...	...

96

2

Damages sustained on such purchases
on such purchases
(2X\$2.15)
\$4.30

Column 12

Column 11

Number of tires purchased during period 4/1/37 to 9/30/37

Number of tires purchased during period 10/1/36 to 3/31/37

Damages sustained on such purchases
on such purchases
(2X\$2.15)
\$4.30

EXHIBIT A (P. 79)

SIZE: 7.50 BY 10 (LOW PRESSURE, TRACTOR, 4 PLY)

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roebuck & Co. price for period 10/1/37 to 3/31/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference between 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 award price	Column 9 Difference between 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price	Column 10 Difference between 10/1/37 to 3/31/38 price and 4/1/38 to 9/30/38 award price
Sears, Roebuck & Co	\$13.32	\$12.60	\$10.00	\$3.37	\$4.17	\$3.32
The Cooper Corp
Dayton Rubber Mfg
Dunlop Tire
Falls Rubber Corp
Firestone Tire	\$13.37	\$14.17	\$15.02	\$15.02	.....	11.27	.....	.....	.....	.....
Fisk Rubber Corp
General Tire
B. F. Goodrich Co	13.37	14.17	15.02	15.02	.....	13.41	.....	.....	.....	.....
Goodyear Tire	13.37	14.17	15.02	15.02	.....	15.12	.....	.....	.....	.....
Hicks Rubber Co
Kelly-Springfield
Lee Tire & Rubber
Mohawk
Norwalk Tire
Pennsylvania
F. G. Schenuit
Seiberling Rubber
U. S. Rubber Prod	13.37	15.02	15.02	10.00
U. S. Tire Dealers	14.17

97

289

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291

Column 11
Number of tires purchased during period 10/1/36 to 3/31/37

Column 12
Number of tires purchased during period 4/1/37 to 9/30/37

Damages sustained on such purchases (2X\$4.17)
\$8.34

EXHIBIT A (P. 80)

SIZE: 9.00 BY 36 (LOW PRESSURE, TRACTOR, HEAVY DUTY)

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roebuck & Co. prices for period 10/1/37 to 3/31/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference be- tween 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 award price	Column 9 Difference be- tween 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price	Column 10 Difference be- tween 10/1/37 to 3/31/38 price and 4/1/38 to 9/30/38 award price
Sears, Roebuck & Co	\$38.78	\$36.10	\$30.02	\$8.79	\$11.12	\$8.76
The Cooper Corp
Dayton Rubber Mfg
Dunlop Tire
Falls Rubber Corp
Firestone Tire	\$38.81	\$41.14	\$43.61	\$43.61	....	30.02	2	2	2	2
Fisk Rubber Corp	43.61	43.61	....	....	....	....	....	....
General Tire
B. F. Goodrich Co	38.81	41.14	43.61	43.61	....	46.65	....	....	....	....
Goodyear Tire	38.81	41.14	43.61	43.61	....	40.18	....	....	....	....
Hicks Rubber Co
Kelly-Springfield
Lee Tire & Rubber
Mohawk
Norwalk Tire
Pennsylvania
F. G. Schenuit
Seiberling Rubber
U. S. Rubber Prod	38.81	....	43.61	43.61	....	33.06	....	....	....	....
U. S. Tire Dealers	41.14	....	....	....	....	....	....	....	....

EXHIBIT A (P. 81)

SIZE: 11.25 BY 24 (LOW PRESSURE, TRACTOR, 6 PLY)

99

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roe- buck & Co. price for period 10/1/37 to 3/31/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference be- tween 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 award price	Column 9 Difference be- tween 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 award price	Column 10 Difference be- tween 10/1/37 to 3/31/38 price and 4/1/38 to 9/30/38 award price
Sears, Roebuck & Co	\$37.83	\$34.58	\$28.94	\$5.81	\$7.90	\$8.89
The Cooper Corp
Dayton Rubber Mfg
Dunlop Tire
Falls Rubber Corp
Firestone Tire	\$34.75	\$36.84	\$39.05	\$39.05	....	28.94	4	....	....	7
Fisk Rubber Corp	39.05	39.05	....	....	....	....	....	....
General Tire
B. F. Goodrich Co	34.75	36.84	39.05	39.05	....	44.20	....	....	....	....
Goodyear Tire	34.75	36.84	39.05	39.05	....	38.64	....	....	....	....
Hicks Rubber Co
Kelly-Springfield
Lee Tire & Rubber
Mohawk
Norwalk Tire
Pennsylvania
F. G. Schenuit
Seiberling Rubber
U. S. Rubber Prod	34.75	....	39.05	39.05	....	32.26	....	....	....	....
U. S. Tire Dealers	36.84	....	....	....	....	....	....	....	....

Damages sustained on such purchases (4X\$5.81) \$23.24

Damages sustained on such purchases (7X\$7.90) \$55.30

295

296

297

298

299

300

EXHIBIT A (P. 82)

SIZE: 12.75 BY 28 (LOW PRESSURE, TRACTOR-6 PLY)

Company	Column 1 Opening of 8/17/36 for period 10/1/36 to 3/31/37	Column 2 Opening of 1/25/37 for period 4/1/37 to 9/30/37	Column 3 Opening of 7/21/37 for period 10/1/37 to 3/31/38	Column 4 Opening of 9/20/37 for period 10/1/37 to 3/31/38	Column 5 Sears, Roebuck & Co. price for period 10/1/37 to 3/31/38	Column 6 Opening of 2/7/38 for period 4/1/38 to 9/30/38	Column 7 Award prices 4/1/38 to 9/30/38	Column 8 Difference between 10/1/36 to 3/31/37 award price and 4/1/38 to 9/30/38 highest award price	Column 9 Difference between 4/1/37 to 9/30/37 award price and 4/1/38 to 9/30/38 highest award price	Column 10 Difference between 10/1/37 to 3/31/38 price and 4/1/38 to 9/30/38 highest award price
Sears, Roebuck & Co	.....	.....	.....	.....	\$50.46	\$45.40	\$41.19	\$9.32	\$12.35	\$9.27
The Cooper Corp	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Dayton Rubber Mfg	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Dunlop Tire	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Falls Rubber Corp	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Firestone Tire	\$50.51	\$53.54	\$56.75	\$56.75	.....	41.19	.....	.....	.....	.....
Fisk Rubber Corp	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
General Tire	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
B. F. Goodrich Co	50.51	53.54	56.75	56.75	.....	59.23	.....	.....	.....	.....
Goodyear Tire	50.51	53.54	56.75	56.75	.....	54.83	.....	.....	.....	.....
Hicks Rubber Co	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Kelly-Springfield	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Lee Tire & Rubber	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Mohawk	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Norwalk Tire	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Pennsylvania	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
F. G. Schenuit	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Seiberling Rubber	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
U. S. Rubber Prod	50.51	.....	56.75	56.75	.....	44.60	.....	.....	.....	.....
U. S. Tire Dealers	.....	53.54	.....	.....	.....	.....	.....	.....	.....	.....
								Number of tires purchased during period 10/1/36 to 3/31/37	Number of tires purchased during period 4/1/37 to 9/30/37	Number of tires purchased during period 4/1/37 to 9/30/37
								2	1	1
								Damages sustained on such purchases	Damages sustained on such purchases	Damages sustained on such purchases
								(2X\$9.32)	(1X\$12.35)	(1X\$12.35)
								\$18.64		\$12.35

100

**Motion to Dismiss Complaint. (Similar motions
made in behalf of all other defendants except
F. G. Schenuit Rubber Company.)**

IN THE
DISTRICT COURT OF THE UNITED STATES
FOR THE SOUTHERN DISTRICT OF NEW YORK

301

[SAME TITLE]

SIES:

PLEASE TAKE NOTICE that upon the complaint herein, the undersigned will move this Court at Room 506, United States Courts and Post Office Building, Borough of Manhattan, City of New York, on the 28th day of April, 1939, at 10:30 o'clock in the forenoon of that day or as soon thereafter as counsel can be heard, for an order dismissing this action because the complaint fails to state a claim against defendants upon which relief can be granted, and for such other and further relief as the Court may deem just, including permission, if this motion be denied, to answer or move for a Bill of Particulars within such time as may be fixed by order of this Court.

302

Dated: New York, N. Y., April 14, 1939.

303

OSBORNE MITCHELL,
HENRY GOLDSTEIN,
Attorneys for Defendants, The Cooper
Corporation and The Falls Rubber
Company.

Opinion.

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF NEW YORK

304

[SAME TITLE]

CONGER, *D.J.*:

This is a motion by the defendants to dismiss the complaint because it fails to state a claim upon which relief can be granted.

305

The complaint sets forth an alleged claim under Section 7 of the Sherman Act (26 Stat. 210) asking for treble damages allegedly suffered by the United States in purchasing tires from the defendants at uniform prices.

Section 7 of the Sherman Act reads as follows:

306

"Any person who shall be injured in his business or property by any other person or corporation by reason of anything forbidden or declared to be unlawful by this act, may sue therefor in any district court of the United States in the district in which the defendant resides, or is found, without respect to the amount in controversy, and shall recover three-fold the damages by him sustained, and the costs of suit, including a reasonable attorney's fee."

The question involved is whether or not the United States can be considered a "person" with the right to sue under the above-quoted section.

Section 8 of the Sherman Act, which defines a "person", reads as follows:

Opinion.

"The word 'person', or 'persons', wherever used in this act, shall be deemed to include corporations and associations existing under or authorized by the laws of either the United States, the laws of any of the Territories, the laws of any State, or the laws of any foreign country."

307

It might be noted at this time, that this is the first suit brought by the United States under this section since the Act was passed on July 2, 1890. The United States has limited itself, in the past, to the criminal and equitable injunction sections of the anti-trust laws.

Section 3 (*supra*) which defines a "person" includes corporations and associations existing under the laws of the United States, but fails to specifically include the government of the United States, and therefore, it rests upon the court to interpret this statute, and to determine whether or not the United States can be considered such a "person", entitled to sue.

308

There is very little precedent in the reported cases to aid in deciding this question, but from the cases that are reported, it is apparent that the courts, in the past, have been careful in distinguishing, not only between the criminal and civil sections of this Act, but also in distinguishing between what the United States can and cannot do under the Act. Nowhere is the United States expressly given the right to bring a civil action under Section 7; but nowhere is the United States specifically denied this right, either.

309

There are a number of cases wherein Section 7 and 8 of the Act have been construed, although not exactly on the precise point. Nevertheless there is very significant language in several of these cases, indicating that the courts have been careful to point out that Section 7 is restricted to private

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persons and that the remedy of the government is given in the criminal and equitable injunction sections of the Act.

310

For instance, in the case of *Pidcock v. Harrington* (64 F. 821, 822) we find this language:

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"* * * a private person is given (section 7) the right to maintain an action at law; * * *. The first three sections are penal statutes. They give no civil remedy. Section 4 vests the right to institute proceedings in equity in the district attorneys of the United States, and, together with Section 5, prescribes the procedure in such suits. Section 6 provides for the seizure and forfeiture to the United States of property illegally owned under the provisions of the Act. So far, then, the act is a public act providing no private remedy. * * * The only section which gives a private remedy is the seventh * * *."

In *Greer, Mills & Co. v. Stoller* (77 F. 1, 3) we find this language:

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"Section 7 gives to the private person 'injured in his business or property by any other person or corporation by reason of anything forbidden, or declared to be unlawful by this act', a right to sue in a circuit court of the United States in the district in which the defendant resides or is found for threefold damages by him sustained. The statute being highly penal in its character, must be strictly construed and having created a new offense, and imposed new liabilities, and having provided the modes of redress to the public and private citizen, by established rules of construction, these remedies are exclusive of all others * * *."

Opinion.

In *United States v. Patterson* (201 F. 697, 714, rev'd on other grounds, 222 F. 599, cert. den. 238 U. S. 635) we find the following:

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"Hence the right given by section 7 to an individual to recover for injury to his business or property with threefold damages and the right given by section 4 to the government to prevent by injunction a continuance of the acts complained of, are rights growing out of the commission of a crime, by whomsoever it may be, whose acts also subject him to the criminal penalties of the statute. If he has been guilty of a crime described in section 1 or 2, then he may be restrained by the government in a civil action, or be compelled by an individual who has been injured in his business or property to respond in threefold damages."

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The language in the above cases would seem to indicate a denial of the civil rights under Section 7 being given to the federal government although this is not specifically stated. The courts have pointed out that violation of the Act was a statutory offense, of a penal nature, in which the right is given to an individual to recover for injury to his business or property with threefold damage; to the government to prevent by injunction a continuance of the acts, or to subject the offender to the criminal penalties of the statute. In accord that these remedies are exclusive and that this statute must be strictly construed: *D. R. Wilder Mfg. Co. v. Corn Products Refining Co.* (236 U. S. 165); *Fleitmann v. Welsbach Street Lighting Co.* (240 U. S. 27).

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See also *General Inv. Co. v. Lake Shore Ry.* (260 U. S. 261, 286) wherein the court used this very pertinent language:

Opinion.

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"As respects the Sherman Anti-Trust Act as it stood before it was supplemented by the Clayton Act, this Court has heretofore determined that the civil remedies specially provided in the act for actual and threatened violations of its provisions were intended to be exclusive and that those remedies consisted only of (a) suits for injunctions brought by the United States in the public interest under §4 and (b) private actions to recover damages brought under §7."

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An analogous situation is found in the case of *Davis v. Pringle* (1 F. (2d) 860, 863, aff'd 268 U. S. 315) wherein the court held that the United States could not be classed as a person in order to claim priority under the Bankruptcy Act. There the court said:

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"The failure to include the United States and the states in the definition could not have been inadvertent. The United States and the several states of the Union are not persons, and are not commonly thought of as persons, and if it had been intended that 'persons' should have such a comprehensive and unusual meaning as to include them, the framers of the definition would have said so.

Again, when the Congress had already dealt with claims of the United States under the name of the United States, and had deliberately limited its priority to taxes, it is hardly reasonable to attribute to the Congress an intention to deal again with the claims of the United States and include them in a provision relating to debts of 'any person'."

The United States Supreme Court stated in affirming the above-quoted case:

Opinion.

"The ordinary dignities of speech would have led to the mention of the United States at the beginning of the clause, if within its purview. Elsewhere in cases of possible doubt when the Act means the United States, it says the United States." (268 U. S. 315, 317, 318).

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See also *United States v. Securities Corporation General, et al.* (4 F. (2d) 620, 622, aff'd 269 U. S. 283).

Thus it may be said that the courts are reluctant to include the United States in the definition of "any person", when used in a statute, unless Congress specifically includes the United States under that definition. This is even more obvious when the United States is given its remedies in other sections of the same statute.

The context of the Act is most significant. Sections 1, 2, 3, 4, and 6 explicitly gives a remedy to the United States. In Section 7 the word United States is not mentioned. This seems to be most significant, for had Congress intended to give the United States the remedy contemplated under Section 7, it would have so stated.

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The plaintiff contends further that they should not be denied the right to sue under Section 7, because the United States is a corporation, existing under the laws of the United States, namely the Constitution, and hence is entitled to sue as a "person" under the definition in Section 8 of the Act. It is fundamental that the United States exists as a sovereign of delegated powers; delegated to it by the sovereigns making up the United States, the individual states. While there may be isolated cases which hold that the different states, and even the United States, are "bodies politic and corporate", they do not hold that the United States is a corporation existing by the laws of the United States. The courts have carefully distinguished between the body of delegated powers, the Constitution, which is the "supreme

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Opinion.

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law of the land", and the laws of the United States which are the Acts of Congress. (*Railroad Co. v. Mississippi*, 102 U. S. 135; *Beck v. Johnson*, 169 F. 154). Even in the Constitution itself, (Article III) this distinction is made:

"Section 2. The judicial power shall extend to all cases, in Law and Equity, arising under this Constitution, the laws of the United States, and Treaties made, or which shall be made, under their Authority * * *".

And again in Article VI of the Constitution:

"This Constitution, and the laws of the United States which shall be made in pursuance thereof * * *".

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The United States cannot, therefore, be classified as a corporation existing under the laws of the United States as stated in Section 8 of the Sherman Act.

From the discussion of the framers of this Act, when it was introduced as a bill in the United States Senate, and prior to its enactment, (Congressional Record #21, pg. 2563-4, 2567, 2641), it seems quite clear that the United States itself was never intended as a party with the right to sue for treble damages under Section 7.

The motion of the defendants should be granted, and the complaint dismissed. Settle order on notice.

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Dated: February 16, 1940.

EDWARD A. CONGER,
U. S. D. J.

Order and Judgment Dismissing Complaint.

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

CIV 2-396

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[SAME TITLE]

A motion having been made by the defendants herein for an order dismissing this action because the complaint fails to state a claim against defendants upon which relief can be granted, and

Said motion having duly come on to be heard on the 28th day of April, 1939, and after hearing argument of counsel for plaintiff and defendants, and due deliberation having been had thereon and upon filing the opinion of this Court dated February 16, 1940, it is, on motion of the defendants herein,

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ORDERED that the said motion be and the same is hereby granted and that this action and the complaint herein be and the same are hereby dismissed without costs.

APPROVED March 14th, 1940.

EDWARD A. CONGER,
U. S. D. J.

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March 15th, 1940

JUDGMENT RENDERED

GEORGE J. H. FOLLMER

George J. H. Follmer, Clerk

Notice of Appeal.**UNITED STATES DISTRICT COURT****SOUTHERN DISTRICT OF NEW YORK**

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CIV 2-396

[SAME TITLE]

Notice is hereby given that the United States of America, plaintiff above named, hereby appeals to the Circuit Court of Appeals for the Second Circuit from the order and judgment dismissing the complaint entered in this action on March 15, 1940.

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Dated: New York, N. Y., March 21, 1940.

MYLES J. LANE,
Special Assistant to the
Attorney General,
Attorney for Plaintiff.

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Stipulation as to Record.

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF NEW YORK

[SAME TITLE]

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IT IS HEREBY STIPULATED AND AGREED that the foregoing is a true transcript of the record of the said District Court in the above entitled matter as agreed to by the parties.

Dated: New York, N. Y., April , 1940.

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Stipulation as to Record.

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Stipulation as to Record.

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Clerk's Certificate.

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF NEW YORK

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[SAME TITLE]

UNITED STATES OF AMERICA,
SOUTHERN DISTRICT OF NEW YORK, ss.:

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I, GEORGE J. H. FOLLMER, Clerk of the District Court of the United States of America for the Southern District of New York, do hereby certify that the following is a correct transcript of the record of the said District Court in the above entitled matter as agreed on by the parties.

IN TESTIMONY WHEREOF, I have caused the seal of the said Court to be hereunto affixed at the City of New York in the Southern District of New York, this day of April, in the year of our Lord one thousand nine hundred and forty and in the Independence of the United States of America the one hundred and sixty-fourth.

GEORGE J. H. FOLLMER,
Clerk.

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UNITED STATES CIRCUIT COURT OF APPEALS FOR THE
SECOND CIRCUIT

No. 363—October Term, 1939

UNITED STATES OF AMERICA, APPELLANT

against

THE COOPER CORPORATION, ET AL., APPELLEES

Argued May 21, 1940—Decided August 8, 1940

Appeal from an order of the District Court for the Southern District of New York dismissing the complaint in a suit for treble damages brought by the United States under Sec. 7 of the Sherman Act. Affirmed.

Before SWAN, CHASE, and CLARK, Circuit Judges.

CHASE, Circuit Judge: The United States brought this civil action under Sec. 7 of the Sherman Act (15 U. S. C. A. Sec. 15) against eighteen defendants to recover treble damages because of injuries resulting from an alleged unlawful agreement as to uniform prices charged the government for automobile tires it purchased. The defendants moved to dismiss on the ground that the government is not a person within the meaning of the word in Sec. 7 as defined in Sec. 8 of the Sherman Act. The motion was granted and this appeal was taken from the order dismissing the complaint.

Sec. 7 is as follows:

"Sec. 7. Any person who shall be injured in his business or property by any other person or corporation by reason of anything forbidden or declared to be unlawful by this act, may sue therefor in any district court of the United States in the district in which the defendant resides or is found, without respect to the amount in controversy, and shall recover threefold the damages by him sustained, and the costs of suit, including a reasonable attorney's fee."

Such a civil action as this was not formerly attempted by the government which was content to confine its activities to the other aspects of the statute. Yet there is no express provision denying it the right to sue for civil injuries it has sustained because of violations of the statute and the order below must be held right or wrong in accordance with a correct determination of whether or not the word "person" in Sec. 7 embraces the government.

Considerable light is thrown on that subject by the definition of "person" found in Sec. 8 (15 U. S. C. A. Sec. 7). It provides that: "The word 'person' or 'persons,' wherever used in section 1, 2, 3, or 15 of this chapter, shall be deemed to include corporations and

associations existing under or authorized by the laws of either the United States, the laws of any Territory, the laws of any State, or the laws of any foreign country."

Ordinarily the word person in a statute does not include the government. *United States v. Fox*, 94 U. S. 315. Nor does Sec. 8 bring the government within the statutory meaning of the word unless the United States is a corporation existing under the laws therein mentioned. Obviously, the only such laws under which it could possibly so exist are the laws of the United States. None of what are commonly known as laws of the United States, however, brought the government into being or authorized its existence. On the contrary, they exist because of it.

It exists as a government of delegated powers by virtue of the constitution and while that is sometimes classed as among the laws of the United States in that it may be said to be the supreme law of the land it is not of a kind with specific laws passed in accordance with its provisions which relate to the creation, existence, and control of corporate bodies. In the constitution itself a distinction is made between the judicial power arising under it and under the laws of the United States. Art. III; Sec. 2. See also Art. VI. The distinction has had judicial recognition. *Railroad Co. v. Mississippi*, 102 U. S. 135. The corporations and associations which are included in the word "person" by Sec. 8 of the Sherman Act as existing under or authorized by the laws of the United States must be those which could not exist except by virtue of laws other than the constitution. The federal government cannot be among those for there were no such laws until after the United States was in existence.

Nor is there any reason appearing from the language of the Sherman Act to give support to the thought that Congress intended to give the government the right to sue under Sec. 7. There is ample reason here, as there was in *Davis v. Pringle*, 268 U. S. 316, where the meaning of the word "person" as used in Sec. 64 (a) (5) of the Bankruptcy Act was under consideration, for saying that if Congress had intended to include the government in Sec. 7 the "ordinary dignities of speech would have led to the mention of the United States." Moreover, the Act has heretofore been construed uniformly to give the government power to prosecute criminally and to secure injunctions and to give private parties by Sec. 7 the right to recover civil damages for injuries. *Piddock v. Harrington*, 64 Fed. 821; *Greer Mills & Co., v. Stoller*, 77 Fed. 1; *United States v. Patterson*, 201 Fed. 697; *General Investment Co. v. Lake Shore & Michigan So. Ry. Co.*, 260 U. S. 261. Furthermore, if the federal government is included in the word "person" as one who may sue civilly for damages it must be included in the phrase "any other person or corporation" in the same section as one who may be sued; for there is absolutely nothing to indicate that Congress intended to use the same word twice in the same section without having its meaning the

same in each instance. The argument in support of the government's position is not only novel but proves too much when it leads to the imposition of such a liability by indirection.

Affirmed.

CLARK, Circuit Judge (dissenting): The occasional decisions in which the word "person" has been said to exclude the sovereign have never attained the dignity of a firm rule of law. In many cases the State or United States has been held included within legislative contemplation when "person" appeared in a statute, often under circumstances harmful, rather than helpful, to the sovereign. See *Stanley v. Schwalby*, 147 U. S. 508, 517, 13 S. Ct. 418, 37 L. Ed. 259; *Ohio v. Helvering*, 292 U. S. 360, 54 S. Ct. 725, 78 L. Ed. 1307 [cf. *Helvering v. Stockholms Enskilda Bank*, 293 U. S. 84, 86, 55 S. Ct. 50, 79 L. Ed. 211]; *Nardone v. United States*, 302 U. S. 379, 383, 58 S. Ct. 275, 82 L. Ed. 314; *Republic of Honduras v. Soto*, 112 N. Y. 310, 2 L. R. A. 642, 8 Am. St. Rep. 744; *State of Ohio ex re. Fulton v. Saal*, 239 App. Div. 420, 267 N. Y. S. 558, 240 App. Div. 902, 267 N. Y. S. 560, 561, appeal dismissed on other grounds, 264 N. Y. 465, 191 N. E. 516; *Sherwood v. United States*, 2 Cir., 112 F. 2d 587. The last two decisions imposing burdens on the sovereign, were reached in the face of Sec. 37 of the N. Y. General Construction Law, which defined "person" in such a way as normally to exclude the government.

Accordingly, the only principle of any validity that may be wrung from the cases is that the meaning of "person" depends upon the legislature's intent under the circumstances. *Ohio v. Helvering*, supra; *Matter of Bronson*, 150 N. Y. 1, 5, 44 N. E. 707, 34 L. R. A. 238, 55 Am. St. Rep. 632. The exhaustive study of contemporary congressional debates relied on by the court below, D. C. S. D. N. Y., 31 F. Supp. 848, 851, and offered to us here appears inconclusive; neither Senator Sherman, who presented a first draft, nor Senator Hoar, who drafted the final act, appear to have given public consideration to the matter here involved. 35 Ill. L. Rev. 223. In cases of this sort, where speculation over actual intent is futile, we have attempted to estimate whether the injuries done to the sovereign by including it within the purview of the statute are so great that the legislature can be presumed not to have intended them. *Sherwood v. United States*, supra. Where the legislation is clearly remedial and not injurious to the sovereign, there seems no persuasive precedent for reading it restrictively.

It is virtually impossible to suggest a plausible reason why Congress, if it had thought of the matter, would have denied the triple-damage remedy to the United States and to the states, while granting it to every other natural or legal person in existence. The United States operates the largest business enterprise in the nation, and in its capacity as a purchaser of tires, it can be injured as much in its "business or property" as can any other entity. It should make no difference whether Section 7 is punitive or remedial in character. Before holding that a clear wrong should go unpunished merely

because it was committed against the United States, we should require strong evidence that the legislature intended so anomalous a result.

The definition of "person" in Section 8 does not settle the matter; that merely states what "person" shall be deemed to include, not what the word excludes. Thus it does not expressly include natural persons, but no one contends they are exempted from the operation of the Sherman Act. Again, Section 7 gives the remedy to any person against any other person or corporation. The fact that "corporation" is mentioned in one place and not in the other thus has no significance. The purpose, it seems, was not to restrict the remedy, but to make sure that the Act applied to corporations. Cf. 35 Ill. L. Rev. 223.

Davis v. Pringle, 268 U. S. 315, 45 S. Ct. 549, 69 L. Ed. 974, does not stand directly opposed to this conclusion. What the government sought in the *Davis* case was a special privilege unavailable to any other legal entity—the privilege of an absolute preference in the distribution of the assets of an insolvent estate. What the government seeks here is a right equal to and no greater than that conferred on every other person in the land. Moreover, there was convincing internal evidence of legislative intent in the *Davis* case. It may be noted that just one year after the *Davis* decision, the statute in question was amended so as explicitly to incorporate the definition there rejected. 44 Stat. 666, 11 U. S. C. A. § 104 (b) (7); see *In re C. D. Hauger Co.*, D. C. N. D. Tex., 54 F. 2d 117, 118.

I do not believe our answer to the question here forecloses discussion of that other question whether the United States is itself subject to suit under Section 7 for possible violations of the Sherman Act. There is no necessary rule of mutuality; Congress could confer the right to sue upon the United States and deny any sovereign liability. For my part I am willing to listen to argument upon the latter question if and when it becomes an actual issue. Now I content myself with saying that I am satisfied that the United States may sue under Section 7, and therefore I would reverse the decision below.

United States Circuit Court of Appeals, Second Circuit

At a Stated Term of the United States Circuit Court of Appeals, in and for the Second Circuit, held at the United States Courthouse in the City of New York, on the 31st day of August, one thousand nine hundred and forty.

Present: Hon. THOMAS W. SWAN, Hon. HARRIE B. CHASE, Hon. CHARLES E. CLARK, Circuit Judges.

UNITED STATES OF AMERICA, PLAINTIFF-APPELLANT

v.

THE COOPER CORPORATION ET AL., DEFENDANTS-APPELLEES

Appeal from the District Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of record from the District Court of the United States for the Southern District of New York, and was argued by counsel.

On consideration whereof, it is now hereby ordered, adjudged, and decreed that the order of said District Court be and it hereby is affirmed.

It is further ordered that a Mandate issue to the said District Court in accordance with this decree.

D. E. ROBERTS, *Clerk.*

By A. M. BELL, *Deputy Clerk.*

Order for mandate

United States Circuit Court of Appeals, Second Circuit. Filed Aug. 31, 1940. D. E. Roberts, Clerk.

United States of America, Southern District of New York

I, D. E. Roberts, Clerk of the United States Circuit Court of Appeals for the Second Circuit, do hereby certify that the foregoing pages, numbered from 1 to 124, inclusive, contain a true and complete transcript of the record and proceedings had in said Court, in the case of United States of America, Plaintiff-Appellant, against The Cooper Corporation, et al., Defendants-Appellees, as the same remain of record and on file in my office.

In testimony whereof, I have caused the seal of the said Court to be hereunto affixed, at the City of New York, in the Southern District of New York, in the Second Circuit, this thirty-first day of August, in the year of our Lord one thousand nine hundred and forty, and of the Independence of the said United States the one hundred and sixty-fifth.

[SEAL]

D. E. ROBERTS, *Clerk.*

By A. M. BELL, *Deputy Clerk.*

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Supreme Court of the United States

Order allowing certiorari

Filed November 12, 1940

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.